

45: 8 B- 1

LEGISLATIVE HISTORY CHECKLIST  
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("Practicing Marriage &  
Family Therapy Act")

NJSA: 45:8B-1

LAWS OF: 1995 CHAPTER: 366

BILL NO: A1784

SPONSOR(S): Catania

DATE INTRODUCED: May 16, 1994

COMMITTEE: ASSEMBLY Commerce

SENATE: Commerce

AMENDED DURING PASSAGE: Yes Amendments during passage  
Second reprint (CC) enacted denoted by superscript numbers

DATE OF PASSAGE: ASSEMBLY: November 14, 1994

SENATE: December 11, 1995

DATE OF APPROVAL: January 5, 1996

FOLLOWING STATEMENTS ARE ATTACHED IF AVAILABLE:

SPONSOR STATEMENT: Yes

COMMITTEE STATEMENT: ASSEMBLY: Yes

SENATE: Yes

FISCAL NOTE: No

VETO MESSAGE: No

MESSAGE ON SIGNING: No

FOLLOWING WERE PRINTED:

REPORTS: No

HEARINGS: No

KBP:pp

[CORRECTED COPY]

[SECOND REPRINT]

ASSEMBLY, No. 1784

STATE OF NEW JERSEY

INTRODUCED MAY 16, 1994

By Assemblymen HAYDEN,  
GAFFNEY and Azzolina

1 AN ACT concerning marriage and family therapy and revising  
2 parts of statutory law.

3

4 BE IT ENACTED *by the Senate and General Assembly of the*  
5 *State of New Jersey:*

6 1. Section 1 of P.L.1968, c.401 (C.45:8B-1) is amended to read  
7 as follows:

8 1. The practice of marriage [counseling] and family therapy in  
9 the State of New Jersey is hereby declared to affect the public  
10 safety and welfare, and to be subject to regulation and control in  
11 the public interest in order to protect the public from the  
12 unprofessional, improper, unauthorized and unqualified practice  
13 of marriage [counseling] and family therapy, and from  
14 unprofessional conduct by persons licensed to practice marriage  
15 [counseling] and family therapy. This act shall be liberally  
16 construed to carry out these objects and purposes.

17 (cf: P.L.1968, c.401, s.1)

18 2. Section 2 of P.L.1968, c.401 (C.45:8B-2) is amended to read  
19 as follows:

20 2. As used in this act, unless the context clearly requires  
21 otherwise and except as in this act expressly otherwise provided:

22 (a) "Licensed marriage [counselor] and family therapist"  
23 means an individual to whom a license has been issued pursuant to  
24 the provisions of this act, which license is in force and not  
25 suspended or revoked as of the particular time in question.

26 (b) The "practice of marriage [counseling] and family therapy"  
27 means the rendering of professional marriage [counseling] and  
28 family therapy services to individuals [and marital pairs], couples  
29 and families, singly or in groups, whether in the general public or  
30 in organizations, either public or private, for a fee, monetary or  
31 otherwise. "Marriage [Counseling] and family therapy" is a  
32 specialized field of [counseling] therapy which [centers largely  
33 upon the relationship between husband and wife. It also] includes  
34 premarital counseling and therapy, pre- and post-divorce  
35 counseling and therapy, and family [counseling] therapy [which  
36 emphasizes the spousal relationship as a key to successful family  
37 living]. The practice of marriage [counseling] and family therapy  
38 consists of the application of principles, methods and techniques  
39 of counseling and psychotherapy for the purpose of resolving  
40 psychological conflict, modifying perception and behavior,  
41 altering old attitudes and establishing new ones in the area of  
42 marriage and family life. In its concern with the antecedents of

EXPLANATION--Matter enclosed in bold-faced brackets [thus] in the  
above bill is not enacted and is intended to be omitted in the law.

Matter underlined thus is new matter.

Matter enclosed in superscript numerals has been adopted as follows:

<sup>1</sup> Assembly ACP committee amendments adopted August 29, 1994.

<sup>2</sup> Assembly floor amendments adopted September 12, 1994.

1 marriage, with the vicissitudes of marriage, and with the  
2 consequences of the failure of marriage, marriage [counseling]  
3 and family therapy keeps in sight its objective of enabling  
4 [marital partners and their children] clients to achieve the  
5 optimal adjustment consistent with their welfare as individuals,  
6 as members of a family, and as citizens in society.

7 (c) "Board" means the State Board of Marriage [Counselor] and  
8 Family Therapy Examiners acting as such under the provisions of  
9 this act.

10 (d) "Recognized educational institution" means any  
11 educational institution which grants the bachelor's, master's and  
12 doctor's degrees, or any one or more thereof, and which is  
13 recognized by the <sup>1</sup>[New Jersey State Board of Higher Education]  
14 Commission on Higher Education<sup>1</sup> or by any accrediting body  
15 acceptable to the State Board of Marriage [Counselor] and Family  
16 Therapy Examiners.

17 (cf: P.L.1968, c.401, s.2)

18 3. Section 3 of P.L.1968, c.401 (C.45:8B-3) is amended to read  
19 as follows:

20 3. No educational institution shall be denied recognition as a  
21 recognized educational institution solely because its program is  
22 not accredited by any professional organization of marriage  
23 [counselors] and family therapists, and nothing in this act or in  
24 the administration of this act shall require the registration with  
25 the board of educational institutions of departments of sociology,  
26 psychology, social work, marriage and family life or any other  
27 specialty or doctoral programs in any of these professional fields.

28 (cf: P.L.1968, c.401, s.3)

29 4. Section 5 of P.L.1968, c.401 (C.45:8B-5) is amended to read  
30 as follows:

31 5. Commencing January 1, 1969, [no] except as provided in  
32 sections 6 and 8 of P.L.1968, c.401 (C.45:8B-6 and 8), a person  
33 who is not licensed under this act, shall not advertise the  
34 performance of marriage [counseling] and family therapy services  
35 or represent himself to be a licensed practicing marriage  
36 [counselor] and family therapist, use a title or description,  
37 including the following titles: marriage and family therapist,  
38 counselor, advisor or consultant; a family counselor, therapist,  
39 advisor or consultant; a family guidance counselor, therapist,  
40 advisor or consultant; a marriage guidance counselor, therapist,  
41 advisor or consultant; a family relations counselor, therapist,  
42 advisor or consultant; a marriage relations counselor, therapist,  
43 advisor or consultant; a marriage counselor, therapist, advisor or  
44 consultant; or any other name, style or description denoting that  
45 the person so engages in marriage [counseling] and family  
46 therapy. Except as otherwise specifically provided in [this act]  
47 sections 6 and 8 of P.L.1968, c.401 (C.45:8B-6 and 8), only a  
48 person licensed under this act shall advertise [himself, purport or  
49 describe himself as offering marriage or family counseling  
50 services or advice; marriage or family guidance service or advice;  
51 marriage or family relations services, therapy or advice;  
52 marriage or family problems service or advice; marriage or  
53 family relations advice or assistance; services in the alleviation  
54 of any marital or family problem; or services of like import or

1 effect, or offer to practice or practice marriage counseling as  
2 defined in this act, except as otherwise permitted in sections 6  
3 and 8] the performance of marriage and family therapy or  
4 counseling services; use a title or description such as marriage  
5 and family therapist, counselor, advisor or consultant; a family  
6 guidance counselor, therapist, advisor, or consultant; a family  
7 relations counselor, therapist, advisor, or consultant; a marriage  
8 counselor, therapist, advisor or consultant; or any other name,  
9 style or description denoting that the person is a licensed  
10 marriage and family therapist; or licensed to practice marriage  
11 and family therapy. The use by a person who is not licensed  
12 under this act of such terms, whether in titles or descriptions or  
13 otherwise, is not prohibited by this act except when in connection  
14 with the offer to practice or the practice of marriage  
15 [counseling] and family therapy as defined in subsection (b) of  
16 section 2[(b)] of [this act] P.L. 1968, c.401 (C.45:8B-2). Use of  
17 such terms in connection with professional activities other than  
18 the rendering of professional marriage [counseling] and family  
19 therapy services to individuals for a fee, monetary or otherwise,  
20 shall not be construed as implying that a person is licensed under  
21 this act or as an offer to practice or as the practice of marriage  
22 [counseling] and family therapy.

23 (cf: P.L.1968, c. 401, s.5)

24 5. Section 6 of P.L. 1968, c.401 (C.45:8B-6) is amended to read  
25 as follows:

26 6. [Any] An individual who is not a licensed practicing  
27 marriage [counselor] and family therapist shall not be limited in  
28 his activities:

29 (a) As part of his duties as an employee of:

30 (1) an accredited academic institution, a [Federal] federal,  
31 State, county or local governmental institution or agency, or a  
32 research facility while performing those duties for which he was  
33 employed by [such an] the institution, agency or facility;

34 (2) an organization which is nonprofit and which is, in the  
35 opinion of the board, a bona fide community agency, while  
36 performing those duties for which he was employed by [such an]  
37 the agency;

38 (3) a proprietary organization while performing those duties for  
39 which he was employed by [such] the organization, provided his  
40 marriage [counseling] and family therapy duties are under the  
41 direct supervision of a licensed practicing marriage [counselor]  
42 and family therapist.

43 (b) As a student of [counseling] marriage and family therapy,  
44 marriage [counseling interne] and family therapy intern or person  
45 preparing for the practice of marriage [counseling] and family  
46 therapy under qualified supervision in a training institution or  
47 facility recognized by the board, provided he is designated by  
48 such titles as "marriage [counseling interne] and family therapy  
49 intern," ["family counseling interne"] or others, clearly indicating  
50 [such] the training status.

51 (c) As a practicing marriage [counselor] and family therapist  
52 for a period not to exceed 10 consecutive business days or 15  
53 business days in any 90-day period, if he resides outside[,] and his  
54 major practice is outside[,] of the State of New Jersey, and gives

1 the board a summary of his qualifications and a minimum of 10  
2 days' written notice of his intention to practice in the State of  
3 New Jersey under this [paragraph (c)] subsection, provided he (1)  
4 is certified or licensed in another [State] state under  
5 requirements the board considers to be the equivalent of  
6 requirements for licensing under this act, or (2) resides in a  
7 [State] state which does not certify or license marriage  
8 [counselors] and family therapists and the board considers his  
9 professional qualifications to be the equivalent of requirements  
10 for licensing under this act; and is not adjudged and notified by  
11 the board that he is ineligible for licensing under this act.

12 (d) As a practicing marriage [counselor] and family therapist  
13 for a period not exceeding [1] one year, if he has a temporary  
14 permit therefor, which the board may issue upon his filing of an  
15 application for licensing under this act.

16 (e) As a practicing marriage [counselor] and family therapist  
17 for a period not exceeding [3] three years under the supervision of  
18 a licensed practicing marriage [counselor] and family therapist,  
19 or a person designated by the board as an eligible supervisor, if he  
20 has a temporary permit therefor which the board may issue upon  
21 his completion of all the requirements for licensing under this act  
22 except the supervised experience requirement.

23 (cf: P.L.1968, c.401, s.6)

24 6. Section 8 of P.L.1968, c.401 (C.45:8B-8) is amended to read  
25 as follows:

26 8. Nothing in this act shall be construed to prevent [qualified  
27 members of other professional groups such as social workers,  
28 psychologists, physicians, attorneys-at-law, members of the  
29 clergy or guidance counselors from doing work of a marriage and  
30 family counseling nature consistent with the accepted standards  
31 of their respective professions] a person from doing work of a  
32 marriage and family therapy nature, <sup>2</sup>or advertising those  
33 services,<sup>2</sup> when acting within the scope of the person's  
34 profession or occupation and doing work consistent with the  
35 person's training, including physicians, clinical social workers,  
36 psychologists, members of the clergy, nurses or any other  
37 profession licensed by the State, or students within accredited  
38 programs of these professions, if the person does not hold himself  
39 out to the public as possessing a license or certificate issued  
40 pursuant to this act.

41 (cf: P.L.1968, c.401 s.8)

42 7. Section 9 of P.L.1968, c.401 (C.45:8B-9) is amended to read  
43 as follows:

44 9. There is hereby created in the Division of Consumer Affairs  
45 of the Department of Law and Public Safety, the State Board of  
46 Marriage [Counselor] and Family Therapy Examiners, which shall  
47 consist of [nine] 11 members, who are residents of this State and  
48 citizens of the United States, [five] six of whom shall be licensed  
49 practicing marriage [counselors] and family therapists, one of  
50 whom shall be a licensed professional counselor currently serving  
51 on the Professional Counselor Examiners Committee, and [two]  
52 three of whom shall be public members, including the public  
53 member appointed pursuant to the provisions of section 2 of  
54 P.L.1971, c.60 (C.45:1-2.2), and one of whom shall be a State  
55 executive department member appointed pursuant to the

1 provisions of P.L.1971, c.60 (C.45:1-2.1 et seq.).

2 (cf: P.L.1993, c.340, s.18)

3 8. Section 10 of P.L.1968, c.401 (C.45:8B-10) is amended to  
4 read as follows:

5 10. Each member of the board, except the public members, the  
6 State executive department member and the licensed professional  
7 counselor, shall have the following qualifications:

8 (a) [He shall either be a member of or have professional  
9 standing equivalent to that required for classification as a  
10 member of the New Jersey Association of Marriage Counselors  
11 and the American Association of Marriage Counselors.] (Deleted  
12 by amendment P.L. , c. )

13 (b) He shall be at the time of his appointment, and shall have  
14 been for at least five years prior thereto, actively engaged as a  
15 marriage [counselor] and family therapist in rendering  
16 professional services in marriage [counseling] and family therapy,  
17 or in the education and training of [doctoral or post-doctoral]  
18 students of marriage [counseling] and family therapy or in  
19 marriage [counseling] and family therapy research, and shall have  
20 spent the major portion of the time devoted by him to such  
21 activity, during the two years preceding his appointment, in this  
22 State.

23 (c) He shall hold at least a master's degree in marriage and  
24 family therapy, social work, marriage or pastoral counseling,  
25 psychology, sociology of the family, marriage and family life  
26 education, or in a closely allied field or a doctor of medicine;  
27 from a recognized educational institution.

28 (cf: P.L.1993, c.340, s.19)

29 9. Section 11 of P.L.1968, c.401 (C.45:8B-11) is amended to  
30 read as follows:

31 11. The members of the board shall be appointed by the  
32 Governor <sup>2</sup>[, in consultation with The American Association for  
33 Marriage and Family Therapy in New Jersey, Inc]<sup>2</sup>. The terms of  
34 the first 7 members of the board shall expire as follows: 2  
35 members, June 30, 1970; 2 members, June 30, 1971; 3 members,  
36 June 30, 1972. Thereafter, except for the State executive  
37 department member, each member of the board shall be  
38 appointed for a term of [3] three years. A term shall expire on  
39 June 30 of the third year of the appointment. If before the  
40 expiration of his term, any member shall die, resign, become  
41 disqualified or otherwise cease to be a board member, the  
42 vacancy shall be filled by the Governor by appointment for the  
43 unexpired term. Each appointee shall, upon accepting  
44 appointment to the board, take and subscribe to the oath or  
45 affirmation prescribed by law and file same in the office of the  
46 Secretary of State. Except for the State executive department  
47 member, a member shall not serve more than two full terms.

48 The first appointees, other than the citizen members, shall be  
49 deemed to be and shall become licensed practicing marriage  
50 counselors immediately upon their appointment and qualification  
51 as members of the board.

52 (cf: P.L.1968, c.401, s.11)

53 10. Section 13 of P.L.1968, c.401 (C.45:8B-13) is amended to  
54 read as follows:

1 13. The board shall, at its first meeting, to be called by the  
2 Governor as soon as may be following the appointment of its  
3 members, and all annual meetings, to be held in June of each year  
4 thereafter, organize by electing from among its members a  
5 chairman, vice-chairman and secretary whose election shall be  
6 subject to the approval of the Attorney General. [Such] The  
7 officers shall serve until the following June 30 and until their  
8 successors are appointed and qualified. The board shall adopt a  
9 seal which shall be affixed to all licenses issued by the board.  
10 The board shall administer and enforce the provisions of this act.  
11 The board shall hold at least one regular meeting each year; but  
12 additional meetings may be held upon call of the chairman or at  
13 the written request of any [2] two members of the board. [Four]  
14 Six members of the board shall constitute a quorum and no action  
15 at any meeting shall be taken without at least [2] four votes in  
16 accord. The board shall from time to time adopt [such] rules and  
17 regulations and [such] amendments [thereof] and supplements  
18 [thereto] as it may deem necessary to enable it to perform its  
19 duties under and to carry into effect the provisions of this act.  
20 The board shall examine and pass on the qualifications of all  
21 applicants for permits or licenses under the act, and shall issue a  
22 permit or license to each qualified successful applicant therefor,  
23 attesting to his professional qualifications to engage in the  
24 practice of marriage [counseling] and family therapy.

25 [Each] A member of the board shall be reimbursed for actual  
26 expenses reasonably incurred in the performance of his duties as  
27 a member of or on behalf of the board.

28 Subject to the approval of the Attorney General, the board  
29 shall be empowered to hire such assistance as it may deem  
30 necessary to carry on its activities. All expenditures deemed  
31 necessary to carry out the provisions of this act shall be paid by  
32 the State Treasurer from the license fees and other sources of  
33 income of the board, within the limits of available appropriations  
34 according to law, but in no event shall expenditures exceed the  
35 revenues of the board during any fiscal year. The board, through  
36 its chairman or secretary, may issue subpoenas to compel the  
37 attendance of witnesses to testify before the board and produce  
38 relevant books, records and papers before the board and may  
39 administer oaths in taking testimony, in any matter pertaining to  
40 its duties under the act (including, without limitation, any hearing  
41 authorized or required to be held by the board under any  
42 provisions of this act), which subpoenas shall issue under the seal  
43 of the board and shall be served in the same manner as subpoenas  
44 issued out of the Superior Court. Every person who refuses or  
45 neglects to obey the command of any [such] subpoena, or who,  
46 after hearing, refuses to be sworn and testify, shall, in either  
47 event, be liable to a penalty of [\$50.00] \$50 to be sued for in the  
48 name of the board in any court of competent jurisdiction, which  
49 penalty when collected shall be paid to the secretary of the board.  
50 (cf: P.L.1968, c.401, s.13)

51 11. Section 14 of P.L.1968, c.401 (C.45:8B-14) is amended to  
52 read as follows:

53 14. [Each] A person desiring to obtain a license as a practicing  
54 marriage [counselor] and family therapist shall make application

1 therefor to the board upon such form and in such manner as the  
2 board shall prescribe and shall furnish evidence satisfactory to  
3 the board that he:

- 4 (a) Is at least 21 years of age;  
5 (b) Is of good moral character;  
6 (c) Is not engaged in any practice or conduct which would be a  
7 ground for refusing to issue, suspending or revoking a license  
8 issued pursuant to this act;  
9 (d) Qualifies for licensing by an examination of credentials or  
10 for admission to an assembled examination to be conducted by  
11 the board.

12 (cf: P.L.1968, c.401, s.14)

13 12. Section 18 of P.L.1968, c.401 (C.45:8B-18) is amended to  
14 read as follows:

15 18. [Any] A person applying to the board, after January 1,  
16 1970, may be admitted to an examination if he meets the  
17 qualifications set forth in subsections (a), (b) and (c) of section  
18 [14 (a), (b), (c)] 14 of P.L.1968, c.401 (C.45:8B-14) and provides  
19 evidence satisfactory to the board that he has met educational  
20 and experiential qualifications as follows:

21 (a) Educational Requirement:

22 [At least] To meet the educational requirements, an applicant  
23 shall have a minimum of a master's degree in marriage and  
24 family therapy, a master's degree in social work, or a  
25 [post-master's degree in marriage and family-counseling, or a  
26 doctorate in marriage or pastoral counseling, psychology,  
27 sociology of the family, family life education, or a closely allied  
28 field of study or a doctor of medicine in which it is established by  
29 the applicant's transcripts that an equivalent course of study has  
30 been successfully completed] graduate degree in a related field  
31 and shall demonstrate that he has completed substantially  
32 equivalent course work content and training to a master's degree  
33 in marriage and family therapy; and the degree [to] shall have  
34 been obtained from an accredited institution so recognized at the  
35 time of granting of [such] the degrees.

36 Pursuant to regulations adopted by the board, an applicant with  
37 a graduate degree in a related field which does not provide  
38 training and course work substantially equivalent in content to a  
39 master's degree in marriage and family therapy, shall be deemed  
40 to meet the educational requirements set forth in this section  
41 upon satisfactory completion of either a post graduate degree  
42 recognized by the board, or a program of training and course  
43 work at an institute or training program accredited by the  
44 Commission on Accreditation for Marriage and Family Therapy  
45 Education.

46 (b) Experience Requirements:

47 [Five] To meet the experience requirements, an applicant shall  
48 have five years of full-time counseling experience, or its  
49 equivalent, of a character approved by the board, [2] two years of  
50 which must have been in marriage [counseling] and family  
51 therapy; [2] two of the [5] five required years must have been  
52 under the supervision of a person holding a degree specified in  
53 [paragraph] subsection (a) of this section and who has himself had



1 no less than [5] five full-time years of professional experience or  
2 the equivalent.

3 (cf: P.L.1979, c.425, s.1)

4 13. Section 19 of P.L.1968, c.401 (C.45:8B-19) is amended to  
5 read as follows:

6 19. The board shall conduct examinations at least once a year  
7 at a time and place to be designated by it. Examinations shall be  
8 written and, if the board deems advisable, oral. In any written  
9 examination each applicant shall be designated by a number so  
10 that his name shall not be disclosed to the board until  
11 examinations have been graded. Examinations shall include  
12 questions in such theoretical and applied fields as the board  
13 deems most suitable to test an applicant's knowledge and  
14 competence to engage in the practice of marriage [counseling]  
15 and family therapy. An applicant shall be held to have passed an  
16 examination upon the affirmative vote of at least [4] six members  
17 of the board.

18 (cf: P.L.1968, c.401, s.19)

19 14. Section 21 of P.L.1968, c.401 (C.45:8B-21) is amended to  
20 read as follows:

21 21. The board may issue a license by an examination of  
22 credentials to any applicant who presents evidence that he is  
23 licensed or certified as a marriage [counselor] and family  
24 therapist in another [State] state with requirements for [said]  
25 that license or certificate such that the board is of the opinion  
26 that [said] the applicant is competent to engage in the practice of  
27 marriage [counseling] and family therapy in this State.

28 (cf: P.L.1968, c.401, s.21)

29 15. Section 26 of P.L.1968, c.401 (C.45:8B-26) is amended to  
30 read as follows:

31 26. Application may be made to the board for reinstatement,  
32 at any time after the expiration of [1] one year from the date of  
33 revocation of a license. [Such] The application shall be in writing  
34 and shall be accompanied by the reinstatement fee. The board  
35 shall not reinstate any applicant, unless satisfied that he is  
36 competent to engage in the practice of marriage [counseling] and  
37 family therapy, and if [it] the board deems [same] it necessary for  
38 [such] its determination, then it may require the applicant to pass  
39 an examination.

40 (cf: P.L.1968, c.401, s.26)

41 16. Section 29 of P.L.1968, c.401 (C.45:8B-29) is amended to  
42 read as follows:

43 29. [Any] A communication between a marriage [counselor]  
44 and family therapist and the person or persons [counseled] in  
45 therapy shall be confidential and its secrecy preserved. This  
46 privilege shall not be subject to waiver, except where the  
47 marriage [counselor] and family therapist is a party defendant to  
48 a civil, criminal or disciplinary action arising from [such  
49 counseling] the therapy, in which case, the waiver shall be limited  
50 to that action.

51 (cf: P.L.1968, c.401, s.29)

52 17. Section 33 of P.L.1968, c.401 (C.45:8B-33) is amended to  
53 read as follows:

54 33. This act shall be known and may be cited as the

1 "Practicing Marriage [Counseling] and Family Therapy Act."

2 (cf: P.L.1968, c.401, s.33)

3 18. Section 3 of P.L.1993, c.340 (C.45:8B-36) is amended to read  
4 as follows:

5 3. As used in this act:

6 "Board" means the State Board of Marriage [Counselor] and  
7 Family Therapy Examiners.

8 "Committee" means the Professional Counselor Examiners  
9 Committee.

10 "Counseling" means offering to assist or assisting, for a fee or  
11 other compensation, an individual or group through a counseling  
12 relationship to develop an understanding of interpersonal and  
13 intrapersonal problems and to plan and act on a course of action  
14 to restore optimal functioning to that individual or group.

15 "Counseling specialty" means a field of specialization in which  
16 counseling takes place and which has been designated as a  
17 counseling specialty by the committee.

18 "Licensed associate counselor" means an individual who holds a  
19 current, valid license as a licensed associate counselor pursuant  
20 to this act and who practices counseling under the direct  
21 supervision of a licensed professional counselor.

22 "Licensed professional counselor" means an individual who  
23 holds a current, valid license as a licensed professional counselor  
24 pursuant to this act.

25 (cf: P.L.1993, c.340 s.3)

26 19. Section 15 of P.L.1993, c.340 (C.45:8B-48) is amended to  
27 read as follows:

28 15. Nothing in this act shall be construed to apply to:

29 a. The activities and services of qualified members of other  
30 professions, including physicians, psychologists, registered nurses,  
31 marriage [counselors] and family therapists, attorneys, social  
32 workers or any other professionals licensed by the State, when  
33 acting within the scope of their profession and doing work of a  
34 nature consistent with their training, provided they do not hold  
35 themselves out to the public as possessing a license issued  
36 pursuant to this act or represent themselves by any professional  
37 title regulated by this act.

38 b. The activities, services and use of an official title on the  
39 part of a person employed as a counselor by any federal, State,  
40 county, or municipal agency; or public or private educational  
41 institution, but only when these persons are performing  
42 counseling or counseling-related activities within the scope of  
43 their employment.

44 c. The activities and services of a student, intern or trainee in  
45 counseling pursuing a course of study in counseling in a regionally  
46 accredited institution of higher education or training institution,  
47 if these activities are performed under supervision and constitute  
48 a part of the supervised course of study, and if the person is  
49 clearly designated a "Counselor intern."

50 d. The activities and services in this State of a nonresident  
51 person rendered on not more than 30 days during any calendar  
52 year, if that person is duly authorized to perform those activities  
53 and services under the laws of his residence.

54 e. The activities and services of a rabbi, priest, minister,

1 Christian Science practitioner or clergyman of any religious  
2 denomination or sect, if those activities and services are within  
3 the scope of the performance of his regular or specialized  
4 ministerial duties and for which no separate charge is made, or  
5 when these activities are performed with or without charge, for  
6 or under auspices or sponsorship, individually or in conjunction  
7 with others, of an established and legally cognizable church,  
8 denomination, or sect, and when the person rendering the service  
9 remains accountable to the established authority thereof.

10 f. The activities, services, titles and descriptions of persons  
11 employed as professionals or volunteers in the practice of  
12 counseling for public or private nonprofit organizations or  
13 charities.

14 g. The activities and services of persons employed as peer  
15 counselors in organizations devoted to prevention of alcoholism,  
16 drug abuse, or relief of emotional effects of rape or other crimes,  
17 and telephone "hotline" organizations.

18 (cf: P.L.1993, c.340, s.15)

19 20. Section 1 of P.L.1971, c.60 (C.45:1-2.1) is amended to read  
20 as follows:

21 1. The provisions of this act shall apply to the following boards  
22 and commissions: the New Jersey State Board of Accountancy,  
23 the New Jersey State Board of Architects, the New Jersey State  
24 Board of Cosmetology and Hairstyling, the Board of Examiners of  
25 Electrical Contractors, the New Jersey State Board of Dentistry,  
26 the State Board of Mortuary Science of New Jersey, the State  
27 Board of Professional Engineers and Land Surveyors, the State  
28 Board of Marriage [Counselor] and Family Therapy Examiners,  
29 the State Board of Medical Examiners, the New Jersey Board of  
30 Nursing, the New Jersey State Board of Optometrists, the State  
31 Board of Examiners of Ophthalmic Dispensers and Ophthalmic  
32 Technicians, the Board of Pharmacy, the State Board of  
33 Professional Planners, the State Board of Psychological  
34 Examiners, the State Board of Examiners of Master Plumbers, the  
35 New Jersey Real Estate Commission, the State Board of  
36 Shorthand Reporting, the State Board of Veterinary Medical  
37 Examiners, the Radiologic Technology Board of Examiners, the  
38 Acupuncture Examining Board, the State Board of Chiropractic  
39 Examiners, the State Board of Respiratory Care, the State Real  
40 Estate Appraiser Board, the State Board of Social Work  
41 Examiners, and the State Board of Public Movers and  
42 Warehousemen.

43 (cf: P.L.1993, c.365, s.18)

44 21. Section 2 of P.L.1971, c.60 (C.45:1-2.2) is amended to read  
45 as follows:

46 2. a. All members of the several professional boards and  
47 commissions shall be appointed by the Governor in the manner  
48 prescribed by law; except in appointing members other than those  
49 appointed pursuant to subsection b. or subsection c., the Governor  
50 shall give due consideration to, but shall not be bound by,  
51 recommendations submitted by the appropriate professional  
52 organizations of this State.

53 b. In addition to the membership otherwise prescribed by law,  
54 the Governor shall appoint in the same manner as presently

1 prescribed by law for the appointment of members, two  
2 additional members to represent the interests of the public, to be  
3 known as public members, to each of the following boards and  
4 commissions: the New Jersey State Board of Accountancy, the  
5 New Jersey State Board of Architects, the New Jersey State  
6 Board of Cosmetology and Hairstyling, the New Jersey State  
7 Board of Dentistry, the State Board of Mortuary Science of New  
8 Jersey, the State Board of Professional Engineers and Land  
9 Surveyors, the State Board of Medical Examiners, the New Jersey  
10 Board of Nursing, the New Jersey State Board of Optometrists,  
11 the State Board of Examiners of Ophthalmic Dispensers and  
12 Ophthalmic Technicians, the Board of Pharmacy, the State Board  
13 of Professional Planners, the State Board of Psychological  
14 Examiners, the New Jersey Real Estate Commission, the State  
15 Board of Shorthand Reporting, the State Board of Social Work  
16 Examiners, and the State Board of Veterinary Medical Examiners,  
17 and one additional public member to each of the following boards:  
18 the Board of Examiners of Electrical Contractors, the State  
19 Board of Marriage [Counselor] and Family Therapy Examiners,  
20 the State Board of Examiners of Master Plumbers, and the State  
21 Real Estate Appraiser Board. Each public member shall be  
22 appointed for the term prescribed for the other members of the  
23 board or commission and until the appointment of his successor.  
24 Vacancies shall be filled for the unexpired term only. The  
25 Governor may remove any such public member after hearing, for  
26 misconduct, incompetency, neglect of duty or for any other  
27 sufficient cause.

28 No public member appointed pursuant to this section shall have  
29 any association or relationship with the profession or a member  
30 thereof regulated by the board of which he is a member, where  
31 such association or relationship would prevent such public  
32 member from representing the interest of the public. Such a  
33 relationship includes a relationship with members of one's  
34 immediate family; and such association includes membership in  
35 the profession regulated by the board. To receive services  
36 rendered in a customary client relationship will not preclude a  
37 prospective public member from appointment. This paragraph  
38 shall not apply to individuals who are public members of boards  
39 on the effective date of this act.

40 It shall be the responsibility of the Attorney General to insure  
41 that no person with the aforementioned association or  
42 relationship or any other questionable or potential conflict of  
43 interest shall be appointed to serve as a public member of any  
44 board regulated by this section.

45 Where a board is required to examine the academic and  
46 professional credentials of an applicant for licensure or to test  
47 such applicant orally, no public member appointed pursuant to  
48 this section shall participate in such examination process;  
49 provided, however, that public members shall be given notice of  
50 and may be present at all such examination processes and  
51 deliberations concerning the results thereof, and, provided  
52 further, that public members may participate in the development  
53 and establishment of the procedures and criteria for such  
54 examination processes.

1 c. The Governor shall designate a department in the Executive  
2 Branch of the State Government which is closely related to the  
3 profession or occupation regulated by each of the boards or  
4 commissions designated in section 1 of P.L.1971, c.60  
5 (C.45:1-2.1) and shall appoint the head of such department, or the  
6 holder of a designated office or position in such department, to  
7 serve without compensation at the pleasure of the Governor as a  
8 member of such board or commission.

9 d. A majority of the voting members of such boards or  
10 commissions shall constitute a quorum thereof and no action of  
11 any such board or commission shall be taken except upon the  
12 affirmative vote of a majority of the members of the entire  
13 board or commission.

14 (cf: P.L.1991, c.134, s.16)

15 22. Section 1 of P.L.1974, c.46 (C.45:1-3.1) is amended to read  
16 as follows:

17 1. The provisions of this act shall apply to the following boards  
18 and commissions: the New Jersey State Board of Accountancy,  
19 the New Jersey State Board of Architects, the New Jersey State  
20 Board of Cosmetology and Hairstyling, the Board of Examiners of  
21 Electrical Contractors, the New Jersey State Board of Dentistry,  
22 the State Board of Mortuary Science of New Jersey, the State  
23 Board of Professional Engineers and Land Surveyors, the State  
24 Board of Marriage [Counselor] and Family Therapy Examiners,  
25 the State Board of Medical Examiners, the New Jersey Board of  
26 Nursing, the New Jersey State Board of Optometrists, the State  
27 Board of Examiners of Ophthalmic Dispensers and Ophthalmic  
28 Technicians, the Board of Pharmacy, the State Board of  
29 Professional Planners, the State Board of Psychological  
30 Examiners, the State Board of Examiners of Master Plumbers, the  
31 State Board of Shorthand Reporting, the State Board of  
32 Veterinary Medical Examiners, the Radiologic Technology Board  
33 of Examiners, the Acupuncture Examining Board, the State Board  
34 of Chiropractic Examiners, the State Board of Respiratory Care,  
35 the State Real Estate Appraiser Board, and the State Board of  
36 Social Work Examiners.

37 (cf: P.L.1991, c.134, s.17)

38 23. Section 2 of P.L.1978, c.73 (C.45:1-15) is amended to read  
39 as follows:

40 2. The provisions of this act shall apply to the following boards  
41 and all professions or occupations regulated by or through such  
42 boards: the New Jersey State Board of Accountancy, the New  
43 Jersey State Board of Architects, the New Jersey State Board of  
44 Cosmetology and Hairstyling, the Board of Examiners of  
45 Electrical Contractors, the New Jersey State Board of Dentistry,  
46 the State Board of Mortuary Science of New Jersey, the State  
47 Board of Professional Engineers and Land Surveyors, the State  
48 Board of Marriage [Counselor] and Family Therapy Examiners,  
49 the State Board of Medical Examiners, the New Jersey Board of  
50 Nursing, the New Jersey State Board of Optometrists, the State  
51 Board of Examiners of Ophthalmic Dispensers and Ophthalmic  
52 Technicians, the Board of Pharmacy, the State Board of  
53 Professional Planners, the State Board of Psychological  
54 Examiners, the State Board of Examiners of Master Plumbers, the

1 State Board of Shorthand Reporting, the State Board of  
2 Veterinary Medical Examiners, the Acupuncture Examining  
3 Board, the State Board of Chiropractic Examiners, the State  
4 Board of Respiratory Care, the State Real Estate Appraiser  
5 Board, and the State Board of Social Work Examiners.

6 (cf: P.L.1991, c.134, s.14)

7 24. (New section) Whenever the term "State Board of  
8 Marriage Counselor Examiners" or "marriage counselor" occurs  
9 or any reference is made thereto in any law, contract or  
10 document, the same shall be deemed to refer to the "State Board  
11 of Marriage and Family Therapy Examiners" and "marriage and  
12 family therapist," respectively.

13 25. This act shall take effect immediately.

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18 Establishes the "Practicing Marriage and Family Therapy Act;"  
19 updates law governing marriage counselors.

1 Board of Respiratory Care, the State Real Estate Appraiser  
2 Board, and the State Board of Social Work Examiners.  
3 (cf: P.L.1991, c.134, s.14)

4 24. (New section) Whenever the term "State Board of  
5 Marriage Counselor Examiners" or "marriage counselor" occurs  
6 or any reference is made thereto in any law, contract or  
7 document, the same shall be deemed to refer to the "State Board  
8 of Marriage and Family Therapy Examiners" and "marriage and  
9 family therapist," respectively.  
10 25. This act shall take effect immediately.

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#### STATEMENT

14

15 This bill updates the "Practicing Marriage Counseling Act,"  
16 P.L.1968, c.401 (C.45:8B-1 et seq.) by changing the title of the  
17 act to the "Practicing Marriage and Family Therapy Act" and by  
18 changing the references to "marriage counselor" to the more  
19 modern designation "marriage and family therapist."

20 Similarly, the name of the licensing board has been changed  
21 from the State Board of Marriage Counselor Examiners to the  
22 State Board of Marriage and Family Therapy Examiners. The  
23 number of members on the board has been increased from nine to  
24 11, and members are appointed by the Governor, in consultation  
25 with The American Association for Marriage and Family Therapy  
26 in New Jersey, Inc.

27 Educational requirements for admission to the board  
28 examination include a master's degree in marriage and family  
29 therapy, a master's degree in social work, or a graduate degree  
30 in a related field of study which includes course work and training  
31 substantially equivalent to that required for a master's degree in  
32 marriage and family therapy. If the graduate degree in a related  
33 field does not provide substantially equivalent course work and  
34 training, then an applicant may still qualify upon completion of a  
35 post graduate degree recognized by the board, or a program of  
36 training and course work at an institute or training program  
37 accredited by the Commission on Accreditation for Marriage and  
38 Family Therapy Education.

39 It is expected that these modifications will improve  
40 accessibility to the mental health services provided by marriage  
41 and family therapists since several national health care  
42 companies and multi-national corporations provide  
43 reimbursement for "marriage and family therapists," but do not  
44 do so for "marriage counselors."

45 Lastly, P.L.1993, c.340 (C.45:8B-34 et seq.), the "Professional  
46 Counselors Licensing Act" and various sections in Chapter 1 of  
47 Title 45 of the Revised Statutes, have been amended to reflect  
48 the modern designation of "marriage and family therapist," and  
49 the board name change to "State Board of Marriage and Family  
50 Therapy Examiners."

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54 Establishes the "Practicing Marriage and Family Therapy Act;"  
55 updates law governing marriage counselors.

ASSEMBLY COMMERCE AND REGULATED  
PROFESSIONS COMMITTEE

STATEMENT TO

ASSEMBLY, No. 1784

with committee amendments

STATE OF NEW JERSEY

DATED: AUGUST 26, 1994

The Assembly Commerce and Regulated Professions Committee reports favorably Assembly, No. 1784 with amendments.

This bill updates the "Practicing Marriage Counseling Act," P.L.1968, c.401 (C.45:8B-1 et seq.) by changing the title of the act to the "Practicing Marriage and Family Therapy Act" and by changing the references to "marriage counselor" to the more modern designation "marriage and family therapist."

Similarly, the name of the licensing board has been changed from the State Board of Marriage Counselor Examiners to the State Board of Marriage and Family Therapy Examiners. The number of members on the board has been increased from nine to 11, and members are appointed by the Governor, in consultation with The American Association for Marriage and Family Therapy in New Jersey, Inc.

Educational requirements for admission to the board examination include a master's degree in marriage and family therapy, a master's degree in social work, or a graduate degree in a related field of study which includes course work and training substantially equivalent to that required for a master's degree in marriage and family therapy. If the graduate degree in a related field does not provide substantially equivalent course work and training, then an applicant may still qualify upon completion of a post graduate degree recognized by the board, or a program of training and course work at an institute or training program accredited by the Commission on Accreditation for Marriage and Family Therapy Education.

It is expected that these modifications will improve accessibility to the mental health services provided by marriage and family therapists since several national health care companies and multi-national corporations provide reimbursement for "marriage and family therapists," but do not do so for "marriage counselors."

Lastly, P.L.1993, c.340 (C.45:8B-34 et seq.), the "Professional Counselors Licensing Act" and various sections in Chapter 1 of Title 45 of the Revised Statutes, have been amended to reflect the modern designation of "marriage and family therapist," and the board name change to "State Board of Marriage and Family Therapy Examiners."

The committee made technical amendments to the bill to make the bill conform to changes in the current law.



SENATE COMMERCE COMMITTEE

STATEMENT TO

[SECOND REPRINT]

ASSEMBLY, No. 1784

STATE OF NEW JERSEY

DATED: MARCH 13, 1995

The Senate Commerce Committee reports favorably Assembly Bill No. 1784 [2R].

This bill updates the "Practicing Marriage Counseling Act," P.L.1968, c.401 (C.45:8B-1 et seq.), by changing the title of that act to the "Practicing Marriage and Family Therapy Act" and by changing the references to "marriage counselor" to the more modern designation "marriage and family therapist."

Similarly, the name of the licensing board has been changed from the State Board of Marriage Counselor Examiners to the State Board of Marriage and Family Therapy Examiners. The number of members on the board has been increased from nine to 11 by adding another licensed practicing marriage and family therapist and another public member to the board's membership.

The bill eliminates the provision in the current law which would have required members of the State Board of Marriage and Family Therapy Examiners to be members of the New Jersey Association of Marriage and Family Therapists and the American Association of Marriage and Family Therapists.

Educational requirements for admission to the board examination include a master's degree in marriage and family therapy, a master's degree in social work, or a graduate degree in a related field of study which includes course work and training substantially equivalent to that required for a master's degree in marriage and family therapy. If the graduate degree in a related field does not provide substantially equivalent course work and training, then an applicant may still qualify upon completion of a post graduate degree recognized by the board, or a program of training and course work at an institute or training program accredited by the Commission on Accreditation for Marriage and Family Therapy Education.

Lastly, P.L.1993, c.340 (C.45:8B-34 et seq.), the "Professional Counselors Licensing Act" and various sections in Chapter 1 of Title 45 of the Revised Statutes, have been amended to reflect the modern designation of "marriage and family therapist," and the board name change to "State Board of Marriage and Family Therapy Examiners."

This bill is identical to Senate Bill No. 1007 [1R].