IDFPR Implements
Numerous Rule Changes
Effective Now!

The Illinois Department of Financial and Professional Regulation has implemented numerous changes to counselor licensure. These changes went into effect April 12.

Many of the changes were implemented to clean up old sections of the licensure act. The entire rules are linked from the IMHCA home page www.imhca.org.

Other changes include:

The following certificates were eliminated as automatically meeting the educational requirements for licensure.

AAMFT Clinical Member
Type 73 School Counselor from CACREP program
School Psychologist
School Social Worker
Fellow or Diplomate of the American Association of Pastoral Counselors (AAPC)

Clinical Supervision definition clarified

Live face-to-face supervision does not include mall, email, telefax, or phone.

Experience utilized to become a LCPC defined to include volunteer work only if you are a LPC.

Professional experience may be gained through volunteering when the volunteer holds a licensed professional counselor license.

Course Requirements Clarified

The program must be at least 2 academic years in length and require an individual to graduate from a program with a minimum of 48 semester hours or 72 quarter hours with a minimum of one course ("course" is defined as 3 semester hours or equivalent) in each of the areas listed in this subsection (a)(5). The 13 areas are the same as those listed for the licensed professional counselor. "A minimum of one course" is defined to mean that the objectives and content of a course need to meet the requirements for one content area and cannot be used to meet the objectives and content requirements of another content area. Students who started their educational program after January 1, 1999, and graduated before January 1, 2008, who make application for the Licensed Clinical Professional Counselor after January 1, 2006, must meet the hour requirements for each core area established by their educational program at the time they started their graduate studies. In some cases, this may not be 3 semester hours or equivalent for each core area. All students, however, graduating after January 1, 2008, must meet the "3 semester hour or equivalent" requirement.

Discrimination in Practice redefined in Unprofessional Conduct. Much of the following language is new. Parts of it are from the ACA Code of Ethics.

1) Practicing, condoning, facilitating, collaborating with or engaging in discrimination based on age, culture, disability, ethnicity, race, religion/spiritually, gender, gender identity, sexual orientation, marital status/partnership, language preference, socioeconomic status, or any basis prescribed by law. Counselors shall not discriminate against clients, students, employees, supervisees, or research participants in a manner that has a negative impact on these persons.

Editors note: The "race race," is a typo but it is in the rules. The new terms were copied from the ACA Code of Ethics. Unfortunately neither ACA or IDFPR have defined these terms.

2) Engaging in any action that violates or diminishes the civil or legal rights of clients.

3) Engaging in the sexual exploitation of clients, client's romantic partners, or client's family members, students or supervisees.

4) Engaging in or condoning sexual harassment, including, but not limited to, deliberate or repeated comments, gestures or physical contacts of a sexual nature, that occurs in connection with professional activities or roles.

5) Bringing personal or professional biases into the counseling relationship. Through an awareness of the impact of stereotyping and discrimination (i.e., biases based on age, disability, ethnicity, gender, religion, or sexual preference), counselors guard the individual rights and personal dignity of the client in the counseling relationship.

6) Engaging in any type of sexual or romantic intimacies with clients, client's romantic partners, or client's family members. Counselors shall not provide counseling services to persons with whom they have had a sexual relationship,
including the person's romantic partners, or their family members.

7) Engaging in sexual intimacies with former clients, client's romantic partners, or client's family members prior to five years after termination of the counselor/client relationship.

8) Engaging in any nonprofessional relationships with clients, former clients, client's romantic partners, or client's family members should be avoided, except when the interaction is potentially beneficial to the client. All potentially beneficial relationships must be documented in case notes, and conducted with full client consent. When unintentional harm occurs to the client, or former client, or to an individual significantly involved with the client or former client, due to the nonprofessional interaction, the counselor must show evidence of an attempt to remedy that harm.

9) Failing to offer all pertinent facts regarding services rendered to the client prior to termination of professional services. The purpose of informed consent is to insure a client's complete access to information pertaining to professional services. Examples include, but are not limited to, the purposes, goals, techniques, procedures, limitations, potential risks, and benefits of services; the counselor's qualifications, credentials and relevant experience; continuation of services upon the incapacitation or death of a counselor. Counselors must take steps to ensure that clients understand the implications of diagnosis, the intended use of assessments and reports, billing arrangements, length of treatment and utilization of consultants. The client's signature indicating receipt of pertinent information is strongly encouraged.

Much of the following is new language.

Scope of Practice

c) Scope of Practice/Professional Responsibility

1) Performing, or pretending to be able to perform, professional services beyond one's scope of practice and one's competency, as defined by education, training, supervised experience, State and national professional credentials, and appropriate professional experience.

2) Abandoning or neglecting clients and/or failing to refer and/or make appropriate arrangements for the continuation of treatment, when necessary, during interruptions, such as vacations or illness, and following termination.

3) Failing to use techniques/procedures/modalities that are grounded in professionally accepted theory and/or have an empirical or scientific foundation. Counselors who do not use these tools, must define the techniques/procedures as "unproven" or "developing" and explain the potential risk and ethical considerations of using the techniques/procedures and take steps to protect clients from possible harm.

NEW RECORD RETENTION REQUIREMENT

4) Failing to establish and maintain client records and case notes, including failing to inform clients of issues related to the difficulty of maintaining the confidentiality of electronically transmitted communication. Records must be maintained for at least 7 years. In the case of a minor, records must be maintained 7 years after the minor turns 18.

Testing Clarified

e) Evaluation, Assessment and Interpretation

1) Failing to have appropriate education and training for each specific assessment and recognize the limits of their competence and perform only those functions for which they are prepared. In particular, counselors using technology-assisted test interpretations must be trained in the construct being measured and the specific instrument being used prior to using this technology-based application.

Course Descriptions Redefined

Required courses have better descriptions.