ALABAMA BOARD OF EXAMINERS IN MARRIAGE AND FAMILY THERAPY ADMINISTRATIVE CODE

CHAPTER 536-X-7 GROUNDS FOR DISCIPLINE AND ETHICAL STANDARDS

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536-X-7-.01 Grounds For Discipline And Ethical Standards

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The Board may deny, revoke, or suspend a license granted pursuant to the Marriage and Family Therapy Act on any of the following grounds:

(1) Conviction of a crime which the Board determines to be of a nature as to render the person convicted unfit to practice marriage and family therapy. The Board shall compile, maintain, and publish a list of the crimes.

(2) Violation of ethical standards of a nature as to render the person found by the board to be unfit to practice marriage and family therapy. The Board shall publish and maintain the ethical standards. Either as an alternative to, or as an additional disciplinary action, the Board may levy an administrative fine of up to five hundred dollars ($500) for an ethical violation.

(3) Fraud or misrepresentation in obtaining a license.

(4) Other just and sufficient cause which renders a person unfit to practice marriage and family therapy, such as, but not limited to the following:

(a) Violations of rules, regulations, and standards set forth by the Board.

(b) Violations of the ethical standards for marriage and family therapists.

(c) Professional incompetency.

(d) Knowingly making misleading, deceptive, untrue or fraudulent representations in the practice of the profession or engaging in unethical conduct or practice

harmful or detrimental to the public. Proof of actual injury need not be established.

(e) Habitual intoxication or addiction to the use of drugs.

(f) Conviction of a felony related to the profession or occupation of the licensee or the conviction of any felony that would affect the licensee's ability to practice within a profession. A copy of the record of conviction or plea of guilty shall be conclusive evidence.

(g) Fraud in representations as to skill or ability.

(h) Use of untruthful or improbable statements in advertisements.

(i) Willful or repeated violations of the provisions of the Marriage and Family Therapy Licensure Act and the Rules and Regulations of the Alabama Board of Examiners in Marriage and Family Therapy.

(j) Personal disqualifications:

1. Mental or physical inability reasonably related to and adversely affecting the licensee's ability to practice in a safe and competent manner.

2. Involuntary commitment for treatment of mental illness, drug addiction or alcoholism.

(k) Holding oneself out as a licensee when the license has expired, been suspended or revoked or no license has been granted.

(l) Revocation, suspension, or other disciplinary action taken by a mental health licensing authority of any state, territory, or country; or failure by the licensee to report in writing to the Board a revocation, suspension, or other disciplinary action taken by a mental health licensing authority of any sate, territory, or county.

(m) Negligence by the licensee in the practice of the profession, which is a failure to exercise due care includingnegligent delegation to or supervision of employees or other individuals, whether or not injury results; or any conduct, practice or conditions which impair the ability to safely and skillfully practice the profession.

(n) Prohibited acts consisting of the following:

1. Permitting another person to use the license for any purpose.

2. Practice outside the scope of the license.

3. Obtaining, possession, or attempting to obtain or possess a controlled substance without lawful authority; or selling, prescribing, giving away, or administering controlled substances.

4. Verbally or physically abusing clients.

5. Any sexual intimidation or sexual relationship between a licensee and a client.

(o) Unethical business practices, consisting of any of the following:

1. False or misleading advertising.

2. Betrayal of a professional confidence.

3. Falsifying client's records.

(p) Failure to report to the Board a change of name or address within sixty (60 days after it occurs.

(q) Failure to comply with a subpoena issued by the Board, or to otherwise fail to cooperate with an investigation conducted by the Board.

Author: The Alabama Board of Examiners in Marriage and Family Therapy

Statutory Authority: Code of Ala. 1975, §§34-17A-1 thru 34-17A-26.

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