

STATE OF MICHIGAN
92ND LEGISLATURE
REGULAR SESSION OF 2004

**Introduced by Senators McManus, Cropsey, Birkholz, Kuipers, Allen, Hardiman, Goschka, Garcia, Bishop
and Van Woerkom**

ENROLLED SENATE BILL No. 959

AN ACT to amend 1978 PA 368, entitled "An act to protect and promote the public health; to codify, revise, consolidate, classify, and add to the laws relating to public health; to provide for the prevention and control of diseases and disabilities; to provide for the classification, administration, regulation, financing, and maintenance of personal, environmental, and other health services and activities; to create or continue, and prescribe the powers and duties of, departments, boards, commissions, councils, committees, task forces, and other agencies; to prescribe the powers and duties of governmental entities and officials; to regulate occupations, facilities, and agencies affecting the public health; to regulate health maintenance organizations and certain third party administrators and insurers; to provide for the imposition of a regulatory fee; to provide for the levy of taxes against certain health facilities or agencies; to promote the efficient and economical delivery of health care services, to provide for the appropriate utilization of health care facilities and services, and to provide for the closure of hospitals or consolidation of hospitals or services; to provide for the collection and use of data and information; to provide for the transfer of property; to provide certain immunity from liability; to regulate and prohibit the sale and offering for sale of drug paraphernalia under certain circumstances; to provide for the implementation of federal law; to provide for penalties and remedies; to provide for sanctions for violations of this act and local ordinances; to provide for an appropriation and supplements; to repeal certain acts and parts of acts; to repeal certain parts of this act; and to repeal certain parts of this act on specific dates," by amending sections 16901 and 16903 (MCL 333.16901 and 333.16903), as added by 1995 PA 126.

The People of the State of Michigan enact:

Sec. 16901. (1) As used in this part:

(a) "Advertise" means issuing or ordering the printing or distribution of a card, sign, or device or causing, permitting, or allowing a sign or marking on or in a building or structure, or placing material in a newspaper, magazine, or directory, or on radio or television. Advertise does not include unpaid public awareness campaigns or educational or promotional materials by individuals exempted from this part by section 16905.

(b) "Marriage and family therapist" means an individual licensed under this article to engage in the practice of marriage and family therapy.

(c) "Practice of marriage and family therapy" means the providing of guidance, testing, discussions, therapy, instruction, or advice that is intended to avoid, eliminate, relieve, manage, or resolve individual, marital, or family conflict or discord, to create, improve, or restore individual, marital, or family harmony, or to prepare couples for marriage. Practice of marriage and family therapy does not include the administration and interpretation of psychological tests except for those tests that are consistent with the individual's education and training and with the code of ethics for licensed marriage and family therapists.

(2) In addition to the definitions of this part, article 1 contains general definitions and principles of construction applicable to all articles in this code and part 161 contains definitions applicable to this part.

Sec. 16903. (1) An individual licensed under this part as a marriage and family therapist shall use only the title "licensed marriage and family therapist" or "licensed marriage counselor" or the abbreviation "l.m.f.t." in representing his or her services in the practice of marriage and family therapy to the public.

(2) Unless exempt under section 16905(4), only an individual licensed under this part may advertise that he or she offers marriage and family therapy; marriage or family counseling service or advice; marriage or family guidance service or advice; marriage or family relations service or advice; marriage or family problems service or advice; marriage or family relations advice or assistance; service in the alleviation of a marital or family problem; or service of similar import or effect that is included in the practice of marriage and family therapy. This part does not prohibit an individual exempted by section 16905 from issuing unpaid public awareness campaigns or educational or promotional materials.

(3) The board may grant a limited license to an individual who has met the requirements of section 16909(1)(a) and (b) in order to permit that individual to obtain the experience required under section 16909(1)(c). The board shall not renew a limited license for more than 6 years. A limited licensee shall do all of the following:

- (a) Use only the title "limited licensed marriage and family therapist" or "limited licensed marriage counselor".
- (b) Not represent that he or she is engaged in the independent practice of marriage and family therapy.
- (c) Practice only under the supervision of a fully licensed marriage and family therapist.
- (d) Confine his or her practice to an organized health care setting or other arrangement approved by the board.

(4) An individual engaged in obtaining experience required under section 16909(1)(b) may use the title "marriage and family therapist intern" or "marriage and family therapist trainee" during the training period. The board shall not require an individual obtaining experience required under section 16909(1)(b) to hold a limited license.

Enacting section 1. This amendatory act takes effect October 1, 2005.

Enacting section 2. This amendatory act does not take effect unless all of the following bills of the 92nd Legislature are enacted into law:

- (a) House Bill No. 5467.
- (b) House Bill No. 5468.
- (c) House Bill No. 5469.
- (d) House Bill No. 5470.
- (e) House Bill No. 5471.
- (f) House Bill No. 5473.
- (g) House Bill No. 5474.
- (h) Senate Bill No. 961.
- (i) Senate Bill No. 963.
- (j) Senate Bill No. 964.
- (k) Senate Bill No. 966.

This act is ordered to take immediate effect.

Carol Morey Viventi

Secretary of the Senate

Ray E. Randall

Clerk of the House of Representatives

Approved

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Governor