

Licensed Marriage and Family Therapist Law and Ethics Examination Outline

Effective Date 2015

I. Law (40%) – This area assesses the candidate's ability to identify and apply legal mandates to clinical practice.

Section	Task Statement	Knowledge Statement
IA. Confidentiality, Privilege, and Consent (14%)	T1. Comply with legal requirements regarding the maintenance/dissemination of confidential information to protect client's privacy.	K1. Knowledge of laws regarding confidential communications within the therapeutic relationship. K2. Knowledge of laws regarding the disclosure of confidential information to other individuals, professionals, agencies, or authorities.
	T2. Identify holder of privilege by evaluating client's age, legal status, and/or content of therapy to determine requirements for providing treatment.	K3. Knowledge of laws regarding holder of privilege. K4. Knowledge of laws regarding privileged communication.
	T3. Comply with legal requirements regarding the disclosure of privileged information to protect client's privacy in judicial/legal matters.	K4. Knowledge of laws regarding privileged communication. K5. Knowledge of laws regarding the release of privileged information. K6. Knowledge of legal requirements for responding to subpoenas and court orders.
	T4. Comply with legal requirements regarding providing treatment to minor clients.	K1. Knowledge of laws regarding confidential communications within the therapeutic relationship. K2. Knowledge of laws regarding the disclosure of confidential information to other individuals, professionals, agencies, or authorities. K3. Knowledge of laws regarding holder of privilege. K4. Knowledge of laws regarding privileged communication. K7. Knowledge of legal criteria and requirements for providing treatment to minors.
	T5. Maintain client records by adhering to legal requirements regarding documentation, storage, and disposal to protect the client's privacy and/or the therapeutic process.	K8. Knowledge of laws regarding documentation of therapeutic services. K9. Knowledge of laws pertaining to the maintenance/disposal of client records.
	T6. Respond to requests for records by adhering to applicable laws and regulations to protect client's rights and/or safety.	K10. Knowledge of laws pertaining to client's access to treatment records. K11. Knowledge of laws pertaining to the release of client records to other individuals, professionals, or third parties.
	T7. Provide services via information and communication technologies by complying with "telehealth" regulations.	K12. Knowledge of laws regarding the consent to and delivery of services via information and communication technologies.
	T8. Comply with the Health Information Portability and Accountability Act (HIPAA) regulations as mandated by law.	K13. Knowledge of legal requirements of the Health Information Portability and Accountability Act (HIPAA).

Licensed Marriage and Family Therapist Law and Ethics Examination Outline

Effective Date 2015

I. Law 40(%) – This area assesses the candidate’s ability to identify and apply legal mandates to clinical practice.

Section	Task Statement	Knowledge Statement
IB. Limits to Confidentiality/ Mandated Reporting (16%)	T9. Report known or suspected abuse, neglect, or exploitation of dependent adult client to protective authorities.	K14. Knowledge of indicators of abuse, neglect, or exploitation of dependent adults. K15. Knowledge of laws pertaining to the reporting of known or suspected incidents of abuse, neglect, or exploitation of dependent adults.
	T10. Report known or suspected abuse, neglect, or exploitation of elderly client to protective authorities.	K16. Knowledge of indicators of abuse, neglect, or exploitation of elderly clients. K17. Knowledge of laws pertaining to the reporting of known or suspected incidents of abuse, neglect, or exploitation of elderly clients.
	T11. Report known or suspected abuse or neglect of a child or adolescent to protective authorities.	K18. Knowledge of indicators of abuse/neglect of children and adolescents. K19. Knowledge of laws pertaining to the reporting of known or suspected incidents of abuse/neglect of children and adolescents.
	T12. Comply with legal requirements regarding breaking confidentiality to protect the client in the presence of indicators of danger to self/others and/or grave disability.	K20. Knowledge of symptoms of mental impairment that may indicate the need for involuntary hospitalization. K21. Knowledge of legal requirements for initiating involuntary hospitalization. K22. Knowledge of laws regarding confidentiality in situations of client danger to self or others.
	T13. Comply with legal requirements to report and protect when client expresses intent to cause harm to people or property.	K23. Knowledge of methods/criteria to identify situations in which client poses a danger to others. K24. Knowledge of laws pertaining to duty to protect when client indicates intent to cause harm. K25. Knowledge of situations/conditions that constitute reasonable indicators of client’s intent to cause harm.
	T14. Comply with legal requirements regarding privilege exceptions in client litigation or in response to breach of duty accusations.	K26. Knowledge of laws regarding privilege exceptions in litigation involving client’s mental or emotional condition as raised by the client or client’s representative. K27. Knowledge of laws regarding privilege exceptions in which client alleges breach of duty.
	T15. Comply with legal requirements regarding privilege exceptions in court-appointed and/or defendant-requested evaluation/therapy.	K28. Knowledge of laws regarding privilege exceptions in court-appointed evaluation or therapy. K29. Knowledge of laws pertaining to privilege exceptions in defendant-requested evaluation or therapy.
	T16. Comply with legal requirements regarding reporting instances of crime perpetrated against minor clients.	K30. Knowledge of laws pertaining to the reporting of crimes perpetrated against a minor. K31. Knowledge of laws regarding privilege exceptions in crime or tort involving minors.

Licensed Marriage and Family Therapist Law and Ethics Examination Outline

Effective Date 2015

I. Law (40%) – This area assesses the candidate’s ability to identify and apply legal mandates to clinical practice.

Section	Task Statement	Knowledge Statement
IC. Legal Standards for Professional Practice (10%)	T17. Comply with laws regarding sexual contact, conduct, and relations between therapist and client to prevent harm to the client and/or the therapeutic relationship.	K32. Knowledge of laws regarding sexual conduct between therapist and client. K33. Knowledge of legal requirements for providing client with the brochure <i>Therapy Never Includes Sexual Behavior</i> .
	T18. Comply with legal parameters regarding scope of practice.	K34. Knowledge of laws that define the scope of clinical practice.
	T19. Comply with legal parameters regarding professional conduct.	K35. Knowledge of laws that define professional conduct for licensed practitioners.
	T20. Disclose fee structure prior to initiating therapy.	K36. Knowledge of laws regarding disclosures required prior to initiating treatment.
	T21. Comply with legal regulations regarding providing treatment when interacting with third-party payers.	K37. Knowledge of laws and regulations regarding third-party reimbursement. K38. Knowledge of parity laws regarding the provision of mental health services.
	T22. Comply with laws regarding advertisement of services and professional qualifications.	K39. Knowledge of laws regarding advertisement and dissemination of information regarding professional qualifications, education, and professional affiliations.
	T23. Comply with laws pertaining to the payment or acceptance of money or other consideration for referral of services.	K40. Knowledge of legal requirements regarding payment or acceptance of money or other considerations for referral of services.

Licensed Marriage and Family Therapist Law and Ethics Examination Outline

Effective Date 2015

II. Ethics (60%) – This area assesses the candidate’s ability to identify and apply ethical standards for professional conduct.

<i>Section</i>	<i>Task Statement</i>	<i>Knowledge Statement</i>
IIA. Professional Competence and Preventing Harm (18%)	T24. Consult with other professionals and/or seek additional education, training, and/or supervision to address therapeutic issues that arise outside the therapist’s scope of competence.	K41. Knowledge of limitations of professional experience, education, and training to determine issues outside scope of competence. K42. Knowledge of situations that indicate a need for consultation with colleagues or other professionals. K43. Knowledge of ethical standards regarding the protection of client rights when engaging in consultation/collaboration with other professionals. K44. Knowledge of ethical methods of developing additional areas of practice or expanding competence. K45. Knowledge of the ethical responsibility to remain current in developments in the profession.
	T25. Consult with other professionals to address questions regarding ethical obligations or practice responsibilities that arise during therapy.	K42. Knowledge of situations that indicate a need for consultation with colleagues or other professionals. K43. Knowledge of ethical standards regarding the protection of client rights when engaging in consultation/collaboration with other professionals.
	T26. Evaluate therapist’s own mental, emotional, or physical problems/impairment to determine impact on ability to provide competent therapeutic services.	K42. Knowledge of situations that indicate a need for consultation with colleagues or other professionals. K46. Knowledge of problems/impairments that interfere with the process of providing therapeutic services. K47. Knowledge of referrals and resources to assist in meeting the needs of clients. K48. Knowledge of methods to facilitate transfer when referrals to other professionals are made.
	T27. Provide referrals to qualified professionals when adjunctive/alternate treatment would benefit the client.	K41. Knowledge of limitations of professional experience, education, and training to determine issues outside scope of competence. K43. Knowledge of ethical standards regarding the protection of client rights when engaging in consultation/collaboration with other professionals. K47. Knowledge of referrals and resources to assist in meeting the needs of clients. K48. Knowledge of methods to facilitate transfer when referrals to other professionals are made.
	T28. Manage therapist’s personal values, attitudes, and/or beliefs to prevent interference with effective provision of therapeutic services and/or the therapeutic relationship.	K49. Knowledge of the potential impact of therapist’s personal values, attitudes, and/or beliefs on the therapeutic relationship. K50. Knowledge of methods for managing the impact of therapist’s personal values, attitudes, and/or beliefs on the client or the therapeutic relationship.

Licensed Marriage and Family Therapist Law and Ethics Examination Outline

Effective Date 2015

II. Ethics (60%) – This area assesses the candidate’s ability to identify and apply ethical standards for professional conduct.

<i>Section</i>	<i>Task Statement</i>	<i>Knowledge Statement</i>
IIA. Professional Competence and Preventing Harm, Cont. (18%)	T29. Evaluate potential conflict of interest situations to determine the impact on the client or the therapeutic process.	<p>K51. Knowledge of conditions/situations that may impair judgment and/or lead to client exploitation.</p> <p>K52. Knowledge of methods for managing boundaries and/or professional relationships with the client.</p> <p>K53. Knowledge of methods for protecting the client and the therapeutic relationship in potential conflict of interest situations.</p>
	T30. Maintain professional boundaries with client to prevent situations or relationships that may impair professional judgment and/or adversely impact the therapeutic relationship.	<p>K51. Knowledge of conditions/situations that may impair judgment and/or lead to client exploitation.</p> <p>K52. Knowledge of methods for managing boundaries and/or professional relationships with the client.</p> <p>K54. Knowledge of relationships that can be potentially detrimental to the client and/or the therapeutic relationship.</p> <p>K55. Knowledge of methods to prevent impairment to professional judgment and/or client exploitation in situations where dual/multiple relationships are unavoidable.</p>
	T31. Adhere to ethical guidelines regarding sexual intimacy/contact with prospective, current, or former clients and/or client’s spouse, significant other, or family members to avoid causing harm or exploitation of the client.	<p>K56. Knowledge of the potential for client harm or exploitation associated with sexual intimacy/contact between a client and therapist.</p> <p>K57. Knowledge of ethical standards pertaining to sexual intimacy/contact with clients and/or client’s spouse, significant other, or family members.</p> <p>K58. Knowledge of ethical standards regarding entering into a therapeutic relationship with former sexual partners.</p>

Licensed Marriage and Family Therapist Law and Ethics Examination Outline

Effective Date 2015

II. Ethics (60%) – This area assesses the candidate’s ability to identify and apply ethical standards for professional conduct.

Section	Task Statement	Knowledge Statement
IIB. Therapeutic Relationship (27%)	T32. Obtain informed consent by providing client with information regarding the therapist and the treatment process to facilitate client’s ability to make decisions.	K59. Knowledge of the ethical responsibility to provide client with information regarding the therapeutic process. K60. Knowledge of disclosures that facilitate client’s ability to make decisions regarding treatment. K61. Knowledge of client’s right to autonomy and to make decisions regarding treatment. K62. Knowledge of methods for communicating information pertaining to informed consent in a manner consistent with developmental and cultural factors. K63. Knowledge of the right and responsibility of legal guardian/representative to make decisions on behalf of clients unable to make informed decisions. K64. Knowledge of methods for protecting client’s welfare when client is unable to provide voluntary consent.
	T33. Evaluate for concurrent psychotherapy the client is receiving with other therapist(s) to determine implications for entering into a new therapeutic relationship.	K65. Knowledge of the effects of concurrent treatment relationships on the treatment process. K66. Knowledge of ethical guidelines for providing concurrent psychotherapy. K43. Knowledge of ethical standards regarding the protection of client rights when engaging in consultation/collaboration with other professionals.
	T34. Address confidentiality and/or therapeutic issues associated with therapist’s role, treatment modality, and/or involvement of third parties to protect the client’s welfare and/or the therapeutic relationship.	K67. Knowledge of methods to identify the “client” and the nature of relationships when providing therapy to more than one person. K68. Knowledge of the impact of treatment unit, treatment modality, and/or involvement of multiple systems on confidentiality. K69. Knowledge of methods to manage factors that impact the therapeutic relationship. K70. Knowledge of methods to manage potential conflicts when providing concurrent therapy to more than one person. K71. Knowledge of methods for managing confidentiality and privacy issues when providing treatment to more than one person. K72. Knowledge of methods for managing confidentiality and privacy issues when treatment involves multiple systems or third parties.
	T35. Manage the impact of confidentiality/limits of confidentiality on the therapeutic relationship by discussing with the client issues/implications that arise during the therapeutic process.	K73. Knowledge of ethical standards regarding the management of confidentiality issues that arise in the therapeutic process. K74. Knowledge of methods for managing the impact of confidentiality issues on the therapeutic relationship.

Licensed Marriage and Family Therapist Law and Ethics Examination Outline

Effective Date 2015

II. Ethics (60%) – This area assesses the candidate’s ability to identify and apply ethical standards for professional conduct.

<i>Section</i>	<i>Task Statement</i>	<i>Knowledge Statement</i>
IIB. Therapeutic Relationship, Cont. (27%)	T36. Manage the impact of safety and/or crisis situations by evaluating risk factors to protect the client/others.	K75. Knowledge of methods for assessing level of potential danger or harm to client or others. K76. Knowledge of ethical obligations regarding the management of safety needs. K77. Knowledge of procedures for managing safety needs.
	T37. Manage the impact of legal and ethical obligations that arise during the therapeutic process to protect the client/therapist relationship.	K78. Knowledge of the impact of legal and ethical obligations on the therapeutic relationship. K79. Knowledge of methods for protecting the best interest of the client in situations where legal and ethical obligations conflict. K80. Knowledge of methods for protecting the best interest of the client in situations where agency and ethical obligations conflict.
	T38. Manage diversity factors in the therapeutic relationship by applying and/or gaining knowledge and awareness necessary to provide treatment sensitive to client needs.	K81. Knowledge of diversity factors that potentially impact the therapeutic process. K82. Knowledge of ethical standards regarding nondiscrimination. K83. Knowledge of ethical standards for providing services congruent with client diversity. K84. Knowledge of methods to gain knowledge, awareness, sensitivity, and skills necessary for working with clients from diverse populations.
	T39. Provide treatment that respects client’s autonomy and right to make decisions.	K85. Knowledge of the collaborative role between therapist and client in the therapeutic process. K61. Knowledge of client’s right to autonomy and to make decisions regarding treatment. K86. Knowledge of methods to assist client make decisions and understand consequences.
	T40. Advocate with and/or on behalf of the client with third party payers to assist client in accessing mental health care.	K87. Knowledge of methods for evaluating client’s capacity to advocate on own behalf. K88. Knowledge of ethical standards pertaining to interacting with third-party payers.

Licensed Marriage and Family Therapist Law and Ethics Examination Outline

Effective Date 2015

II. Ethics (60%) – This area assesses the candidate’s ability to identify and apply ethical standards for professional conduct.

<i>Section</i>	<i>Task Statement</i>	<i>Knowledge Statement</i>
IIB. Therapeutic Relationship, Cont. (27%)	T41. Maintain practice procedures that provide for consistent care in the event therapy must be interrupted or discontinued.	K89. Knowledge of ethical considerations and conditions for interrupting or terminating therapy. K90. Knowledge of referrals/resources to provide consistent care in the event therapy must be interrupted or discontinued. K48. Knowledge of methods to facilitate transfer when referrals to other professionals are made.
	T42. Terminate therapy when no longer required or no longer benefits the client.	K91. Knowledge of factors and/or conditions that indicate client is ready for termination of therapy. K92. Knowledge of factors and/or conditions that indicate client is not benefiting from treatment. K93. Knowledge of methods for managing the termination process. K94. Knowledge of methods to prevent client abandonment and/or client neglect.

Licensed Marriage and Family Therapist Law and Ethics Examination Outline

Effective Date 2015

II. Ethics (60%) – This area assesses the candidate’s ability to identify and apply ethical standards for professional conduct.

<i>Section</i>	<i>Task Statement</i>	<i>Knowledge Statement</i>
IIC. Business Practices and Policies (15%)	T43. Advertise services by adhering to ethical guidelines regarding the use of accurate representations and information to promote services and/or expand practice.	K95. Knowledge of ethical guidelines regarding the use of accurate representation of qualifications and credentials in advertisements and/or solicitation of clients. K96. Knowledge of ethical guidelines pertaining to the solicitation of testimonials or statements from clients or others. K97. Knowledge of ethical guidelines regarding the recruitment of clients through employment and/or professional affiliations.
	T44. Maintain client records by adhering to ethical guidelines to document treatment and/or protect the client’s confidentiality.	K98. Knowledge of ethical guidelines regarding the documentation of therapeutic services consistent with clinical practice. K99. Knowledge of methods for providing reasonable protection of the confidentiality of client records. K100. Knowledge of ethical guidelines for releasing client records upon request.
	T45. Clarify role(s) when acting in a professional capacity other than providing treatment or supervision to avoid confusion, maintain objectivity, and/or protect the therapeutic relationship.	K101. Knowledge of the ethical responsibility to clarify roles when acting in a professional capacity other than providing treatment or supervision. K102. Knowledge of ethical guidelines regarding engaging in conflicting and/or dual roles. K103. Knowledge of methods for maintaining impartiality and/or professional integrity when engaging in legal proceedings.
	T46. Implement policies/procedures that address ethical issues associated with the use of electronic media and technology in the course of providing therapy.	K104. Knowledge of the potential for harm to the client or therapeutic relationship with the use of electronic media in the therapeutic process. K105. Knowledge of ethical standards for interacting with clients via electronic media. K106. Knowledge of the limitations and risks associated with electronic means of service delivery.
	T47. Maintain fee/payment policies that are commensurate with services provided and protect the therapeutic relationship.	K107. Knowledge of methods and conditions for determining fees commensurate with professional services. K108. Knowledge of prohibited business practices/forms of remuneration for making/accepting client referrals. K109. Knowledge of the potential for client exploitation or harm that may result from bartering/exchanges for services. K110. Knowledge of ethical standards pertaining to the collection of unpaid balances. K111. Knowledge of ethical obligations regarding providing for continuation of treatment to the client. K112. Knowledge of ethical guidelines regarding the provision of therapeutic services when interacting with third-party payers. K47. Knowledge of referrals and resources to assist in meeting the needs of clients.

Licensed Marriage and Family Therapist Law and Ethics Examination Outline

Effective Date 2015

II. *Ethics (60%) – This area assesses the candidate’s ability to identify and apply ethical standards for professional conduct.*

<i>Section</i>	<i>Task Statement</i>	<i>Knowledge Statement</i>
IIC. Business Practice and Policies, Cont. (15%)	T48. Adhere to ethical guidelines regarding the acceptance of gifts and/or tokens of appreciation from clients.	K113. Knowledge of conditions/situations that may impair the integrity or efficacy of the therapeutic process. K114. Knowledge of ethical standards regarding the acceptance of gifts from clients.
	T49. Adhere to ethical guidelines for protecting the welfare and dignity of participants when conducting research related to the provision of therapeutic services.	K115. Knowledge of procedures to safeguard participants when conducting research projects. K116. Knowledge of disclosures required to inform participants of the nature and role of research projects. K117. Knowledge of client rights regarding participation in research projects. K118. Knowledge of methods for protecting client confidentiality and data when conducting research projects.
	T50. Address unethical or incompetent conduct of colleague by taking action to promote the welfare and interests of clients.	K119. Knowledge of conditions/situations that may impair the integrity or efficacy of the therapeutic process. K120. Knowledge of guidelines for addressing unethical or incompetent conduct of colleagues.
	T51. Adhere to ethical guidelines for engaging in the supervisor/prelicensure practitioner relationship.	K121. Knowledge of ethical guidelines governing the supervisor/prelicensure practitioner relationship and responsibilities.

LICENSED MARRIAGE AND FAMILY THERAPIST LAW AND ETHICS EXAMINATION OUTLINE SAMPLE QUESTIONS

1. **An intern is considering asking his clinical supervisor to be his therapist. The intern would like to address ongoing personal relationship issues. Which of the following actions should the intern take to manage the ethical issue in this case?**
 - a. Explore the relationship issues with the supervisor as part of supervision
 - b. Arrange for therapy with the supervisor that is separate from supervision
 - c. Seek personal therapy from another therapist to avoid a dual relationship
 - d. Wait until supervision hours are complete prior to initiating personal therapy

2. **A client initiates therapy for depression following a failed marriage. The therapist finds the client very attractive. Which of the following actions should the therapist take to manage the ethical obligation in this case?**
 - a. Suppress personal feelings of attraction and continue providing therapy
 - b. Inform the client of the therapist's feelings and discuss therapeutic boundaries
 - c. Explain the ethical issue to the client and provide a referral to an alternate therapist
 - d. Seek consultation to manage the attraction and monitor therapeutic boundaries

3. **A 58-year-old client who is working on childhood abuse issues has recently become the conservator of her mother's finances. The client states that now that she has control of her mother's money she finally has extra money to buy what she wants and enjoy her own life. The client states that her mother is "finally getting what she deserves." Which of the following actions should the therapist take to address the legal issue involved in this case?**
 - a. Maintain confidentiality and address the client's childhood trauma
 - b. Maintain confidentiality and seek consultation for any countertransference issues
 - c. Break confidentiality and contact an adult protective services agency
 - d. Break confidentiality and initiate a well-person check

Answers: 1-C; 2-D; 3-C