



Sunset Report
**Alabama Board of
Examiners in Marriage
and Family Therapy**
Montgomery, Alabama

October 1, 2023 through September 30, 2025

ALABAMA DEPARTMENT OF
EXAMINERS of Public Accounts

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September 16, 2026

Representative Margie Wilcox
Chairman, Sunset Committee
Alabama State House
Montgomery, Alabama 36130

Dear Representative Wilcox:

This report was prepared to provide information for use by the Sunset Committee in conducting its review and evaluation of the operations of the Alabama Board of Examiners in Marriage and Family Therapy in accordance with the *Code of Alabama 1975*, Section 41-20-9.

The report contains unaudited information obtained from the management, staff, and records of the Alabama Board of Examiners in Marriage and Family Therapy in addition to information obtained from other sources.

Please contact me if you have any questions concerning this report.

Sincerely,

Rachel Laurie Riddle
Chief Examiner

Examiner
Ashleigh Wynn

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PROFILE

Purpose/Authority

The Alabama Board of Examiners in Marriage and Family Therapy (the “Board”) was created by Act Number 1997-170, Acts of Alabama, to license and regulate the practice of marriage and family therapy. The Board’s current statutory authority is found at *Code of Alabama 1975*, Sections 34-17A-1 through 34-17A-26.

The following Act passed since the last sunset review has been codified in the current statutory authority.

Act Number 2025-160, Acts of Alabama, to continue the existence and functioning of the Alabama Board of Examiners in Marriage and Family Therapy until October 1, 2027, with certain modifications to amend Section 34-17A-6, *Code of Alabama 1975*, to require that no two Board members reside in the same congressional district.

<u>Characteristics</u>	
Members and Selection	Five Members appointed by the Governor: • Three practicing marriage and family therapists. • One marriage and family therapy educator. • One public member. The Board of Directors of the Alabama Association for Marriage and Family Therapy shall submit to the Governor the names of two qualified candidates for each position on the Board. <i>Code of Alabama 1975</i>, Section 34-17A-6
Term	Members serve five-year terms. Members of the Board shall serve until their successors are appointed and have qualified. Members shall be ineligible for reappointment for a period of three years following completion of their five-year term. <i>Code of Alabama 1975</i>, Section 34-17A-6
Qualifications	• The three practicing marriage and family therapists members shall be licensed by the Board. • All members shall be residents of the state. <i>Code of Alabama 1975</i>, Section 34-17A-6

Consumer Representation	One public member is required. One public member is currently serving. <i>Code of Alabama 1975</i>, Section 34-17A-6
Racial Representation	No statutory requirement. One minority member currently serving.
Geographical Representation	Commencing on June 1, 2025, as the terms of the members serving on the Board expire, the membership of the Board shall be appointed so that no two members of the Board reside in the same congressional district. Currently, there is not more than one member residing in the same congressional district. <i>Code of Alabama 1975</i>, Section 34-17A-6
Other Representation	In appointing members to the Board, the Governor shall coordinate his or her appointments to ensure the Board's membership is inclusive and reflects the racial, gender, geographic, urban, rural, and economic diversity of the state. <i>Code of Alabama 1975</i>, Section 34-17A-6
Compensation	Board members do not receive compensation. Each member shall receive the same per diem and travel allowance as state employees for each day of attendance at an official meeting of the Board. <i>Code of Alabama 1975</i>, Section 34-17A-7
Attended Board Member Training	One current Board member. One current staff member. Current Executive Director.

<u>Operations</u>	
Administrator	The Board contracts with The Austin Group, LLC to provide administrative services. Claire Austin, president of The Austin Group LLC, serves as the Board's Executive Director. The current annual contract amount is \$44,620.80 (\$3,718.40 per month). The contract is effective through February 18, 2027. <i>Code of Alabama 1975</i>, Section 34-17A-7
Location	60 Commerce Street, Suite 1440 Montgomery, AL 36104 Monday – Friday 8:30 a.m. to 4:30 p.m. Office available by appointment only.
Real Property Ownership	The Board does not own real property.
Employees	None. The Board contracts with The Austin Group, LLC for administrative services.
Legal Counsel	Ben Seiss, Assistant Attorney General, an employee of the Attorney General's Office, provides legal counsel to the Board.
Subpoena Power	The Board does not have subpoena power except as provided by the Administrative Procedures Act, <i>Code of Alabama 1975</i> , Section 41-22-12 for hearings and contested cases.
Internet Presence	http://mft.alabama.gov The Board's website contains a listing of Board members, current laws, rules and regulations, a roster of licensees, disciplinary actions, minutes of the Board's meetings, contact information, a public records page and a roster search feature.
<u>Financial</u>	
Source of Funds	License fees and disciplinary fines. <i>Code of Alabama 1975</i>, Section 34-17A-25
State Treasury	Yes, Special Revenue Fund 0945. <i>Code of Alabama 1975</i>, Section 34-17A-25
Required Distributions	No statutory required distributions.
Unused Funds	Retained at year end.

<u>Licensure</u>																	
Licensees	As of April 16, 2026: <table border="1"> <tr> <th>Type of License</th><th></th></tr> <tr> <td>Licensed Marriage and Family Therapist (LMFT)</td><td>426</td></tr> <tr> <td>Associate</td><td>96</td></tr> <tr> <td>Intern</td><td>20</td></tr> <tr> <td>LMFT Approved Supervisor</td><td>23</td></tr> <tr> <td>LMFT Supervisor Mentor</td><td>8</td></tr> <tr> <td>LMFT Supervisor in Training</td><td>11</td></tr> <tr> <td>Total</td><td>584</td></tr> </table> <i>Source:</i> Executive Director	Type of License		Licensed Marriage and Family Therapist (LMFT)	426	Associate	96	Intern	20	LMFT Approved Supervisor	23	LMFT Supervisor Mentor	8	LMFT Supervisor in Training	11	Total	584
Type of License																	
Licensed Marriage and Family Therapist (LMFT)	426																
Associate	96																
Intern	20																
LMFT Approved Supervisor	23																
LMFT Supervisor Mentor	8																
LMFT Supervisor in Training	11																
Total	584																
Licensure Qualifications	All applicants for licensure must be a U.S. citizen or legally present and be of good moral character. To qualify for the specified license type, applicants must fulfill the following requirements: <u>Licensed Marriage and Family Therapist (MFT):</u> • Complete education, internship, clinical, and supervision requirements for a LMFT Associate. • Pass the examination approved by the Board. • Hold a master's degree or a doctoral degree in marriage and family therapy from a recognized educational institution, or a graduate degree in an allied field from a recognized educational institution and graduate level course work in marriage and family therapy. • Complete a minimum of 2 years' work experience under the supervision of a marriage and family associate, following receipt of qualifying degree. • Complete 200 hours of supervision, 100 of which must be individual. • Complete a minimum of 1,000 post-degree direct client hours completed concurrently with the required ratio of one supervision hour to every ten client contact hours; 250 of these direct contact hours must be with couples or families physically present in the therapy room. <i>Administrative Rule 536-X-2-.02</i>																

Licensure Qualifications (continued)	<u>Licensed Marriage and Family Therapy Associate:</u> • Hold a master's degree or a doctoral degree in marriage and family therapy from a recognized educational institution, or a graduate degree in an allied field from a recognized educational institution and graduate level course work in marriage and family therapy. • Complete an internship either during the qualifying degree or as a post-degree experience consisting of the following: ○ Minimum of 12 months of the internship. ○ Minimum of 100 supervision hours based on the ratio of one supervision hours for every five direct client contact hours completed concurrently. Fifty of these hours must be individual supervision. ○ Minimum of 500 direct client contact hours obtained concurrently with the required supervision; two hundred fifty of these direct client contact hours must be with couples or families physically present in the therapy room. <i>Administrative Rule 536-X-2-.05</i> <u>Marriage and Family Therapy Intern:</u> • Be a student or graduate of a regionally accredited educational institute in a master's or doctoral graduate training in marriage and family therapy (or an allied field with graduate level course work in marriage and family therapy) that meets the Board course requirements. • Submit of a contract for supervision. <i>Administrative Rule 536-X-4-.01</i> <u>Licensed Marriage and Family Therapist Supervisor:</u> • Be a licensed Marriage and Family Therapist. • Submit a contract for supervision with a supervisor mentor. <i>Administrative Rule 536-X-4-.03</i> <u>Licensed Marriage and Family Approved Supervisor:</u> • Be a licensed Marriage and Family Therapist. • Complete 5 hours of continuing education on supervision every two years. • Provide a minimum of 90 hours of clinical supervision to MFTs or MFT trainees during a period of not less than 12 months. • Complete 8 hours of mentoring from a Board approved licensed MFT Supervisor Mentor. <i>Administrative Rule 536-X-4-.04</i>
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Licensure Qualifications (continued)	<u>Supervisor Mentor:</u> Be a licensed Marriage and Family Therapist approved Supervisor who has provided a minimum of 120 hours of supervision beyond that required to become a Licensed Marriage and Family Therapist Approved Supervisor or is an American Association for Marriage and Family Therapy Approved Supervisor. <i>Administrative Rule 536-X-4.05</i> <i>Code of Alabama 1975</i>, Sections 34-17A-8 and 34-17A-10																				
Examinations	Once the applicant’s application to sit for the examination has been approved by the Board, the applicant will be sent information regarding how to schedule and pay for the National Examination in Marital and Family Therapy administered through Prometric and scored by Professional Testing Corporation. Examination fees are paid directly to Prometric. To practice as a licensed marriage and family therapist (LMFT) requires passing the Marriage and Family Therapy National Examination developed and managed by the Association of Marital and Family Therapy Regulatory Boards (AMFTRB). The examination is administered monthly during one-week periods at Prometric testing facilities. Prometric testing facilities are available in Auburn, Birmingham, Dothan, Huntsville, Mobile, and Montgomery. <table><tr><th colspan="4">Pass/Fail Rates</th></tr><tr><th></th><th># Taken</th><th># Passed</th><th>% Passed</th></tr><tr><td>FY 2024</td><td>37</td><td>19</td><td>51%</td></tr><tr><td>FY 2025</td><td>67</td><td>19</td><td>28%</td></tr><tr><td>FY 2026 ⁽¹⁾</td><td>28</td><td>21</td><td>75%</td></tr></table> ⁽¹⁾First quarter only <i>Code of Alabama 1975</i>, Sections 34-17A-8 and 34-17A-11 Source: Administrator	Pass/Fail Rates					# Taken	# Passed	% Passed	FY 2024	37	19	51%	FY 2025	67	19	28%	FY 2026 ⁽¹⁾	28	21	75%
Pass/Fail Rates																					
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Reciprocity	The Board should issue a license by examination of credentials to any person licensed or certified as a marriage and family therapist in another state which has requirements for licensure that are equivalent to or exceed the requirements of Alabama, provided the applicant submits an application on forms prescribed by the Board and pays the original license fee. There are no state-specific agreements. <i>Code of Alabama 1975</i>, Section 34-17A-12 <i>Source:</i> Executive Director
Renewals	Licenses are valid for two years and shall be renewed biennially prior to the expiration date of December 31. Late renewal runs from January 1 through March 1 with a late fee. If not renewed by March 1 of the renewal period, the license is considered expired. 93% of licenses renewed online in FY2025. <i>Code of Alabama 1975</i>, Section 34-17A-13 <i>Administrative Rule</i> 536-X-5-A1 <i>Source:</i> Administrator
Licensee Demographics	Data not collected by the Board. <i>Source:</i> Administrator
Continuing Education	• Licensed Marriage and Family Therapist: Minimum of 40 contact hours of acceptable continuing education or experience units during the previous 24 months. • Marriage and Family Therapist Associate: Minimum of 20 contact hours of acceptable continuing education or experience units during the previous 24 months. • Intern: Minimum of 10 contact hours of acceptable continuing education or experience units during the previous 24 months. <i>Code of Alabama 1975</i>, Section 34-17A-13(c) <i>Administrative Code</i> 536-X-6-.01

SIGNIFICANT ISSUES

There were no new significant issues noted.

STATUS OF PRIOR FINDINGS/SIGNIFICANT ISSUES

All prior findings and significant issues have been resolved except the following:

Significant Issue 2024-001: Upon expiration of a contract for administrative and management services secured through a Request for Bid process on September 30, 2021, the Board executed multiple emergency contracts during the sunset review period. Additionally, the Board operated without a contract in place for three periods of time between September 2021 and September 2023.

The Board entered into three emergency contracts with Smith Warren Management Services, Inc. (formerly Warren & Company, Inc) to provide administrative, management, and facility services beginning September 21, 2021 and expiring August 3, 2023. The Board's initial emergency contract began on September 21, 2021, at a cost of \$3,500 per month for twelve months and expired on September 20, 2022. The second emergency contract began on October 17, 2022, at a cost of \$3,500 per month, and expired on March 31, 2023. During the time between these two emergency contracts, the Board operated without a contract for administrative services from September 21, 2022 through October 16, 2022.

The third emergency contract began on March 31, 2023, at a cost of \$3,500 per month, and was set to expire on August 3, 2023. This contract was temporarily approved by the Department of Finance's Chief Procurement Officer (CPO) until a new agreement could be fully executed, via the Request for Proposal (RFP) process, and presented to the Contract Review Permanent Legislative Oversight Committee (the "Committee") at the August 3, 2023, meeting.

In July 2023, the Board completed the RFP process and awarded the contract to The Austin Group, LLC. A contract between the Board and The Austin Group, LLC, was submitted to the Committee for review at the August 3, 2023 meeting. However, the Board's contract with The Austin Group, LLC, did not contain certain required language. Because the Board failed to include all required language the contract had to be re-submitted to the Committee and signed by the Governor, delaying its effective date. On August 23, 2023, the CPO granted an extension of the third emergency contract that expired August 3, 2023, through September 7, 2023. The Board was once again without a contract in place from August 4, 2023 through August 22, 2023.

The contract with corrected language was re-executed by the Board and The Austin Group, LLC, and resubmitted to the Committee for review at its September 2023 meeting. This contract was for a twelve-month period from the date of the Governor's signature on September 20, 2023, and expiring September 19, 2024. For a third time, the Board operated without a contract from September 8, 2023 through September 19, 2023. The contract with The Austin Group, LLC, contained an option to renew annually, however, this option was not exercised by the Board. The Board will have to re-solicit these administrative services through the RFP process.

Current Status: Unresolved. The CPO allowed the Board to enter into an emergency contract with The Austin Group, LLC effective from September 24, 2024 through January 31, 2025, to allow time for completion of the RFP and award process. The Board completed the RFP process and awarded a contract to The Austin Group, LLC in November 2024.

The contract was submitted to the Committee for consideration in December 2024. The submission was rejected due to submission errors and non-compliance with Committee policies. The contract was resubmitted to the Committee for consideration at its January 2025 meeting. The Board failed to have a representative present at the Committee's January 2025 meeting to present the contract. Therefore, the contract was held by the Committee.

The contract language stipulated that the contract became effective on the date of the Governor's signature. The Governor signed the contract on February 19, 2025. The Board's emergency contract with The Austin Group, LLC was effective through January 31, 2025. Again, the Board operated without a contract in place from February 1, 2025 through February 18, 2025. Although there was no valid contract, the Board paid The Austin Group, LLC for services provided during this period.

Significant Issue 2024-002: The Board did not post vacancy notices forty-five days prior to the expiration of Board members' terms. Vacancy notices were not posted for two Board member's whose terms expired June 20, 2023. As a result, potential candidates did not receive notice of vacancies and caused the Board not to receive input from all interested candidates to fill the vacancy.

The *Code of Alabama 1975*, Section 36-14-17(c) states, "The chair of an existing board shall notify the Secretary of State by electronic means of a vacancy as follows: (1) For a vacancy scheduled to occur on the board as a result of the expiration of a term, at least 45 days before the vacancy occurs."

Current Status: Unresolved. The Board did not post vacancy notices forty-five days prior to the expiration of a Board member's term. A vacancy notice was not posted for a Board member whose term expired January 11, 2026. As a result, potential candidates did not receive notice of vacancy and caused the Board not to receive input from all interested candidates to fill the vacancy.

MATTERS OF CONCERN FROM QUESTIONNAIRES

There were no matters of concern noted from survey responses.

QUESTIONNAIRES

Board Member Questionnaire

A letter was sent to all five members of the Alabama Board of Examiners in Marriage and Family Therapy requesting participation in our survey. Three participated in our survey. The percentages are based on the number who responded to the question.

1. What do you consider the most significant issue(s) currently facing the Alabama Board of Examiners in Marriage and Family Therapy and how is the Board addressing these issues?

Board Member #1 – “A primary issue facing the Board is maintaining an appropriate balance between regulatory oversight and the efficiency of licensure processes. This includes ensuring that application review procedures are clear, consistent, and timely while remaining compliant with statutory and administrative requirements. As the number of licensees has increased, the Board has made adjustments to its meeting schedule to more efficiently review applications. These changes are intended to improve responsiveness to applicants and support the timely issuance of licenses, thereby strengthening workforce access across the state while maintaining the integrity of the licensure process. The Board’s efforts in this area reflect a dual commitment to public protection and workforce development, ensuring that qualified providers are able to enter the field without unnecessary delay, while upholding the standards necessary to safeguard the public. Ongoing process review and internal discussions further demonstrate the Board’s commitment to operational clarity, consistency, and transparency.”

Board Member #2 – “1. Efforts to consolidate boards or place boards under state-appointed executive directors run the risk of limiting the board's ability to perform its vital functions. Since this is a legislative issue, the board has no official position. As an individual, I oppose these efforts. 2. Attracting willing board members. See answers to question 2. 3. Operating with integrity, transparency, and accountability. As a board, we take seriously the charge to protect the public by verifying the educational and professional credentials of each licensee. Working with staff, the education committee evaluates each application and makes recommendations to the entire board, who then approves, denies, or requests more information. Efforts to remove barriers to timely granting a license include open lines of communication with educational institutions and the state association of LMFTs, and more frequent meetings to align with the application cycle. Internal operations of the board including an executive director's report and detailed financial statements are scrutinized at each meeting.”

Board Member #3 – “we had an issue with not enough meetings to satisfy applications; we have now increase meetings from 4 to 6+”

2. What, if any, changes to the Board's laws are needed?

Board Member #1 – “The Board has established a structured review process to strengthen clarity, consistency, and usability across its regulatory framework. As an initial phase, the Board Chair and the Application Review Committee are actively reviewing all applications and associated forms to ensure continuity across the system and to improve clarity within the application process. The Committee will present recommended updates to the Board for discussion and, upon approval, implement revisions aimed at enhancing usability, transparency, and overall applicant satisfaction. Following completion of this work, the Board will undertake a review of current statutes and administrative rules through its designated review group. This subsequent phase will focus on ensuring alignment across regulatory chapters and identifying opportunities for clarification, modernization, and improved consistency within the Board's governing framework.”

Board Member #2 – “1. I recommend that current limit of one five-year term be amended to allow a board member to be appointed to serve a second term. There is a steep learning curve for incoming board members, and it takes some time to understand the regulatory process. Often, by the time a board member is comfortable in the role, their term has expired. This creates a measure of "brain drain" when experienced leadership must rotate off the board. I believe the ability to serve a second term would provide the continuity that will enhance the effectiveness of the board. 2. Currently board members are only reimbursed for travel expenses. Board meetings require up to a full day out of work. Compensation for time and travel expenses is recommended.”

Board Member #3 – “none”

3. Do you think the Board is adequately funded?

Yes	3	100%
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4. Do you think the Board is adequately staffed?

Yes	3	100%
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5. Does the Board receive regular reports on its operations from the Executive Director?

Yes	3	100%
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6. Has the Board experienced any significant change to its operations?

Yes	1	33%
No	2	67%

7. Does the Board plan to make any significant changes to its operations?

No	2	67%
Unknown	1	33%

8. Do you have any additional comments you would like to make?

Board Member #1 – “I would like to express my appreciation for the leadership and stewardship of the [REDACTED] [REDACTED]. Based on my experience serving on regulatory boards in other states, the level of professionalism, engagement, and commitment demonstrated by this group is noteworthy and reflects a strong dedication to the Board’s mission and responsibilities.”

Board Member #2 – “This is my fifth year on the board as a public member. The first year was marked by financial difficulty and the struggle to have enough licensees to justify the board's existence. After a change in our choice of executive director contractor, operations within and without have steadily improved. Educational standards have been clarified . Applications are processed promptly, and the number of licensees has increased. This is largely due to the staff members of the executive firm. Financially the board is on solid footing. Overall, I think this board has made outstanding progress in fulfilling its responsibilities.”

Board Member #3 – “none”

Licensee Questionnaire

A letter was sent to one hundred licensees requesting participation in our survey. Twenty-nine participated in the survey. The percentages are based on the number who responded to the question.

1. What do you consider the most significant issue(s) facing your profession in Alabama?

Respondent #1 – “Being seen as equals with LPCs and licensed social workers.”

Respondent #2 – “Diversity and training. Acceptance of all cultures, sexual orientation and sexuality.”

Respondent #3 – “Continuing efforts to strengthen our license”

Respondent #4 – “The potential that people who know nothing about the profession will be placed in charge.”

Respondent #5 – “Low numbers compared to other states”

Respondent #6 – “Cost/access to services; requirements for documentation (by insurance)”

Respondent #7 – “I think professional acknowledgement as LMFTs compared to LPC or LCSW has improved since first getting my licensure 10+ years ago.”

Respondent #8 – “Public and professional awareness of the impact that family therapy can have in the prevention and treatment of mental illness, emotional struggles, and substance use/addiction as well as divorce mediation and intervention. Research has proven that working with the family system has a greater impact than working only with the individual. So, we need better PR to get our message out to the public that we are available to help.”

Respondent #9 – “The lack of marriage & family therapist who accept insurance. The safety of therapists with clients who lack boundaries and intend harm.”

Respondent #10 – “1.) Inadequately trained individuals presenting as "relationship coaches" that end up dabbling in mental health without adequate clinical experience, supervision, or licensure that provides no protection or recourse for public. 2) The path to become an MFT supervisor is overly complicated, expensive, and restrictive thus creating a shortage of supervisors for new graduates who do need supervision. This process is far more complex than is required for other professions such as licensed professional counselors.”

Respondent #11 – “Inclusion and equity in both access to care and educating non biased therapists.

Respondent #12 – “Insurance coverage and reimbursement for services, not enough mental health providers for our state, poor mental health funding at the state and national level”

Respondent #13 – “ The amount of LMFTS in Alabama is very small compared to other states. The numbers need to increase.”

Respondent #14 – “ Lack of equal compensation by insurance companies, less consideration for jobs as those who hold a LPC license although our licensing requirements are more stringent”

Respondent #15 – “ LMFTs having equal opportunities as LPCs in the state of Alabama”

Respondent #16 – “ Support for more therapists. Some can't afford help or find one that can see them promptly. “

Respondent #17 – “ Protection from baseless complaints and striving to ensure the integrity of the licensure of individuals who work with mental health populations. having an over arching task force that audits complaints base don merit before automatic investigation and acceptance of a complaint. Having been in another state this was an amazing protective aspect of the board there to ensure consumers had an avenue but it also recognized that mental health patients can be intentionally vindictive or unstable and make baseless claims or have a history of filing complaints. Recognizing that dual relationships aren't always what they appear. Relationships are the most therapeutic aspect of a patients care. “

Respondent #18 – “Not sure at this time”

Respondent #19 – “ Portability, access to information and what is happening in our MFT community.”

Respondent #20 – “ Passing the Marriage and Family exam.”

Respondent #21 – “ The most significant issue facing the ABEMFT is maintenance of their dual commitment to protecting the public and developing a critical workforce of qualified providers in the field of Marriage and Family Therapy. The Board continues to review and maintain processes that achieve these goals with a focus on accessibility, clarity, consistency, and transparency.

The Board has adjusted its meeting schedule to process applications as efficiently and effectively as possible. The Board also has made an unprecedented improvement to administrative support and responsiveness to prospective and current licensees to support clarity throughout the processes for licensure and renewal. The Board has not wavered in their commitment to this support, responsiveness, and timely review as the number of licensees has increased.”

Respondent #22 – “Normalizing unhealthy choices based on feelings not science”

Respondent #23 – “ The threat by the State of AL to take over the administration of the board, though it is not wanted or needed.”

Respondent #24 – “Reimbursement rates

More flexible CE requirements

Easier submission process of CE”

Respondent #25 – “ State Boards’ lack of awareness re: issues young therapists will be facing. My experience is trainings have been geared toward treating populations who make up very small numbers of actual client clinical presentations.

In Alabama, ALAMFT has not recently provided any workshops related to ACT (Acceptance and Commitment Therapy.) Treatment for OCD and specific anxiety disorders. The newest data on Depression and use of Ketamine.

Early on, the Association did a good job of equipping young providers with treatment “Toolboxes,” now it appears new clinicians are being informed of sociopolitical matters, which they are already aware and do little to treat patients.”

Respondent #26 – There is a need for more LMFTs”

Respondent #27 – “ The most significant issue facing our profession is the hyper-regulation of insurance guiding treatment. While much of the oversight is helpful - we want to ensure clients are making progress! It can become too much when it creates a conflict of interest by making therapists feel like they have to use certain models or avoid certain important areas of focus to stick with a specific diagnosis/treatment model.”

Respondent #28 – “ Third party payments”

Respondent #29 – “ Ease of insurance paneling and reimbursement rate beneath the quality of care provided.”

2. Do you think regulation of your profession by the Alabama Board of Examiners in Marriage and Family Therapy is necessary to protect the public welfare?

Yes	28	97%
No	1	3%

3. Do you think any of the Board's laws, rules, or policies are an unnecessary restriction on the practice of your profession?

Yes	5	18%
No	21	72%
Unknown	3	10%

4. Are you adequately informed by the Board of changes to and interpretations of the Board's positions, policies, rules, and laws?

Yes	20	69%
No	8	28%
Unknown	1	3%

5. Do you consider mandatory continuing education necessary for the competent practice of your profession?

Yes	25	86%
No	4	14%

6. Does the Board respond to your inquiries in a timely manner?

Yes	26	90%
No	1	3%
Unknown	2	7%

7. Has the Board performed your licensing and renewal in a timely manner?

Yes	29	100%
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8. Do you have any additional comments you would like to make?

Respondent #1 – “ We also need to be seen as necessary. No AI program can replace a good therapist.”

Respondent #2 – “ Is the board moving forward in multi state licensing and/or international.”

Respondent #3 – “ No”

Respondent #4 – “Not at this time “

Respondent #5 – “ I very much value the work our licensing board does for the profession, from advocacy to regulation to public protection and supporting clinicians. Our profession is separate and distinct from similar disciplines and needs its own governing body due to these differences to remain preserved and credible.”

Respondent #6 – “ I have mixed thoughts about my answer to question number five. I very much enjoy staying up-to-date, and continuing education is an important part of that. I’m just not sure how necessary it is to mandate it because I’m going to do that on my own.”

Respondent #7 – “ I have always gotten responses and feedback from [REDACTED] [REDACTED] when I have reached out. She has been very helpful.”

Respondent #8 – “ Two points: 1. I work with therapists who come from different professional designations - Professional Counselors (LPC), Social Work (MSW) as well as MFT. I have heard more negative stories of how difficult the various Boards have been for these co-workers regarding information and licensing and I can truthfully state that I have never had a problem with anything I needed from my Board, whether it was regarding licensing, or understanding a change. I recently received a random phone call from someone I did not know asking about her MFT license and I sent a message to the Board and they responded to this person within the hour. 2. Under the CCBHC model (Medicaid), Family Therapy is the first choice when working with children who have emotional impairments and those that have suffered trauma as working with the family provides better understanding and the possibility for change. We all live and work in systems and the family is just another system that on occasion needs a tune up.”

Respondent #9 – “ I have had extensive interaction with the ABEMFT during the past two years regarding a former client. The communication and guidance of the board has been exceptional.”

Respondent #10 – “ I do not think our board should be merged with professions such as landscapers, massage therapists, and cosmetologists. Our board should be comprised of trained clinicians that have clinical, legal, and ethical knowledge of our profession. We have nothing in common with those other professions. If the state feels one board for all is sufficient to protect the public, then honestly, we don't really need to be regulated or required to pay for a license at all!”

Respondent #11 – “ The board does an awesome job!!!”

Respondent #12 – “ I want to recognize the strong leadership and thoughtful guidance provided by the [REDACTED] [REDACTED]. Their professionalism, engagement, and clear commitment to the Board’s mission stand out and reflect a deep sense of responsibility in their work.”

Respondent #13 – “ I think the Board is doing a great job; they are very responsive, approachable, and caring regarding the licensure process. However, the academic course requirements can be clearer if you attend or attended a COAFMTE equivalent school. In other words, having a clear list of the courses needed for application for licensure.”

Respondent #14 – “ The Board of Marriage and Family Therapy is readily accessible for assistance and represents our profession well.”

Respondent #15 – “ n/a”

Respondent #16 – “ I appreciate your work”

Respondent #17 – “ I do not at this time”

Respondent #18 – “ No”

Respondent #19 – “ I would love to know how to find out more about what's going on in our field. Who do we talk to about that? “

Respondent #20 – “ People are taking the exam from 3 to 13 times before passing it. That is so discouraging.”

Respondent #21 – “ n/a”

Respondent #22 – “ Someone decided our licensing certificates would look better on a darker paper, which makes it difficult to scan, transmit and read.”

Respondent #23 – “ I might answer differently if you were asking about the AL LPC board. The AL LMFT board has been a breeze to deal with.”

Respondent #24 – “ No”

Respondent #25 – “ No”

Respondent #26 – “ Yes, if a person has been a LMFT for over 15-20 Years, the continuation of CEUs should be at least every five years. Chances are, that person will soon retire.”

Respondent #27 – “ The board works effectively; however, I do think it would help to modernize the system so that we can accomplish renewal/licensing digitally instead of going through physical mail.”

Respondent #28 – “ Not at this time.”

Respondent #29 – “An extended licensing window from 2yrs. To 5 yrs.”

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APPENDICES

Appendix I: Applicable Statutes

Section 34-17A-1 Short Title.

This chapter shall be known and may be cited the "Marriage and Family Therapy Licensure Act."
(*Acts 1997, No. 97-170, p. 247, §1.*)

Section 34-17A-2 Legislative Intent.

(a) Marriage and family therapy in the State of Alabama is declared to be a professional practice which affects the public safety and welfare and requires appropriate regulation and control in the public interest.

(b) It is the intent of this chapter to establish a regulatory agency, structure, and procedures which will ensure that the public is protected from the unprofessional, improper, unauthorized, and unqualified practice of marriage and family therapy.

(*Acts 1997, No. 97-170, p. 247, §2.*)

Section 34-17A-3 Definitions.

As used in this chapter, the following terms have the following meanings, respectively, unless the context clearly indicates otherwise:

(1) ADVERTISE. The issuing or causing to be distributed any card, sign, or device to any person; or the causing, permitting, or allowing any sign or marking on or in any building, radio or television, transmission or broadcast, or advertising by any media or other means designed to secure public attention.

(2) BOARD. The Alabama Board of Examiners in Marriage and Family Therapy.

(3) MARRIAGE AND FAMILY THERAPIST. A person to whom a valid, current license has been issued pursuant to this chapter.

(4) MARRIAGE AND FAMILY THERAPY ASSOCIATE. An individual who has graduated from a program that meets the board course requirements, has completed the required internship, and is continuing training in marriage and family therapy under a board approved supervisory arrangement to complete a minimum two-year postgraduate supervision requirement prior to applying for his or her marriage and family therapist license.

(5) MARRIAGE AND FAMILY THERAPY INTERN. An individual who is training for designation as a marriage and family therapy associate in accordance with board requirements and under a board approved supervisory arrangement.

(6) PERSON. Any individual, firm, corporation, partnership, organization, political body, or other entity.

(7) PERSON IN TRAINING. An individual who is preparing for the practice of marriage and family therapy under qualified supervision in a training institution or facility.

(8) **PRACTICE OF MARRIAGE AND FAMILY THERAPY.** The process of providing professional marriage and family therapy to individuals, couples, and families, either alone or in a group. The practice of marriage and family therapy utilizes established principles that recognize the interrelated nature of the individual problems and dysfunctions in family members in order to diagnose, assess, and treat mental and emotional disorders within a marriage and family therapy treatment context. Marriage and family therapy includes, without being limited to, individual, group, couple, sexual, family, and divorce therapy and psychotherapy, whether the services are offered directly to the general public or through organizations, either public or private, for a fee or other compensation. Marriage and family therapy is a specialized mode of treatment for the purpose of resolving mental and emotional disorders and modifying intrapersonal and interpersonal dysfunctions. The terms "diagnose," "assess," and "treat," as used in this subdivision, when considered in isolation or in conjunction with the rules of the board, shall not be construed to permit the performance of any act which marriage and family therapists are not educated and trained to perform, including, but not limited to, administering and interpreting psychological tests, intellectual, neuropsychological, personality, and projective instruments, admitting persons to hospitals for treatment for the foregoing conditions, treating persons in hospitals without medical supervision, prescribing medicinal drugs, authorizing clinical laboratory procedures or radiological procedures, or use of electroconvulsive therapy. In addition, this definition shall not be construed to permit any person licensed pursuant to this chapter to describe or label any test, report, or procedure as "psychological," or as a "psychological evaluation." A licensed marriage and family therapist may diagnose and develop treatment plans, but shall not attempt to diagnose, treat, or advise a client with reference to problems or complaints falling outside the boundaries of marriage and family therapy services. Nothing in this chapter shall be construed to authorize persons licensed under this chapter to practice medicine.

(9) **QUALIFIED SUPERVISION.** The supervision of clinical services in accordance with standards established by the board. The supervisor shall be recognized by the board as an approved supervisor or other designation indicating an approved supervisory position.

(10) **RECOGNIZED EDUCATIONAL INSTITUTION.** Any educational institution that grants a bachelor's, master's, or doctoral degree and that is recognized by the board and by a regional educational accrediting body or a postgraduate training institute accredited by the Commission on Accreditation for Marriage and Family Therapy Education.

(11) **USE A TITLE OR DESCRIPTION.** To hold oneself out to the public as having a particular status by means of stating on signs, mailboxes, address plates, stationery announcements, calling cards, or other instruments of professional identification.

(Acts 1997, No. 97-170, p. 247, §3; Act 2006-540, p. 1243, §1; Act 2018-285, §1; Act 2022-238, §1.)

Section 34-17A-4 Acts Prohibited.

Except as otherwise provided, on or after July 1, 1998, it shall be a Class B misdemeanor for a person to do any of the following unless licensed pursuant to this chapter:

(1) Advertise that he or she performs marriage and family therapy or marriage and family counseling services.

(2) Use a title or description such as "marital or marriage therapist, counselor, advisor, or consultant," or "family therapist, counselor, advisor, or consultant," or any other name, style, or description denoting that the person is a marriage and family therapist.

(3) Practice marriage and family therapy.

(Acts 1997, No. 97-170, p. 247, §4.)

Section 34-17A-5 Exemptions.

(a) The following persons shall be exempt from this chapter:

(1) A person practicing marriage and family therapy as part of his or her duties as an employee of a recognized educational institution; a federal, state, county, or municipal governmental institution or agency; a public corporation authorized by Section 22-51-2, which is certified by the Alabama Department of Mental Health pursuant to a contract with the State of Alabama; or an organization that is nonprofit while performing those duties for which the employee was employed by the institution, agency, facility, or organization.

(2) A person in training.

(3) A psychologist, properly licensed by the State of Alabama, who is practicing within the scope of his or her expertise.

(4) A professional counselor, properly licensed by the State of Alabama, who is practicing within the scope of his or her expertise.

(5) A licensed certified social worker, properly licensed by the State of Alabama, who is practicing within the scope of his or her expertise.

(6) A minister of religion or a nurse when practicing within the scope of his or her expertise.

(b) Nothing in this chapter shall be construed to prevent qualified members of other licensed professional groups, including social workers, attorneys, psychiatric nurses, psychologists, physicians, or professional counselors, or members of the clergy, from providing or advertising that they provide marriage and family therapy or counseling consistent with the accepted standards of their respective professions.

(c) Nothing in this chapter shall be construed to permit marriage and family therapists licensed pursuant to this chapter to administer, dispense, or prescribe drugs, or in any manner engage in the practice of medicine as defined by the laws of this state.

(Acts 1997, No. 97-170, p. 247, §5; Act 2006-540, p. 1243, §1; Act 2022-238, §1.)

Section 34-17A-6 Creation of Board; Composition; Vacancies; Removal.

(a) There is created the Alabama Board of Examiners in Marriage and Family Therapy. The board shall consist of five members who are residents of this state and appointed by the Governor. In appointing members to the board, the Governor shall coordinate his or her appointments to assure the board's membership is inclusive and reflects the racial, gender, geographic, urban, rural, and economic diversity of the state. Commencing on June 1, 2025, as the terms of the members serving on the board expire, the membership of the board shall be appointed so that no two members of the board reside in the same congressional district. The board shall perform the duties and have the powers as prescribed and conferred by this chapter. No member of the board shall be civilly liable for any act performed in good faith for the performance of his or her duties as a member of the board.

(b) The professional membership of the board shall be licensed pursuant to this chapter.

(c) Vacancies on the board shall be filled for the remainder of the unexpired term. Members of the board shall serve until their successors are appointed and have qualified. Board members shall be ineligible for reappointment for a period of three years following completion of their five-year term.

(d) Appointments to the board shall be made by the Governor as provided in this subsection. Not later than October 1 of each year, the Board of Directors of the Alabama Association for Marriage and Family Therapy shall submit to the Governor the names of two qualified candidates for each position on the board to be vacated by reason of expiration of a term of office. From the two candidates, the Governor shall appoint one member to serve on the board for a term of five years. Other vacancies occurring on the board shall be filled for the unexpired term by appointment of the Governor from two candidates for each vacancy submitted by the Alabama Association for Marriage and Family Therapy within 30 days after the vacancy occurs. Composition of the board shall consist of one public member, one marriage and family therapy educator, and three practicing marriage and family therapists.

(e) The Governor may remove a member of the board only for neglect of duty, malfeasance, or conviction of a felony or crime of moral turpitude while in office. Notwithstanding the foregoing, no member may be removed until after a public hearing of the charges against him or her, and at least 30 days' prior written notice to the accused member of the charges against him or her and of the date fixed for the hearing. No board member shall participate in any matter before the board in which he or she has a pecuniary interest, personal bias, or other similar conflict of interest.

(Acts 1997, No. 97-170, p. 247, §6; Act 2006-540, p. 1243, §1; Act 2009-30, p. 96, §3; Act 2025-160, §3)

Section 34-17A-7 Employees; Meetings; Powers.

(a) The board may employ a director, secretary, attorneys, experts, and other employees as it may from time to time find necessary for the proper performance of its duties, and for whom the necessary funds are appropriated.

(b) The board shall elect annually a chair and a vice chair. Each member shall receive the same per diem and travel allowance as state employees for each day of attendance at an official meeting of the board. The board shall hold at least one regular meeting each year. Additional meetings may be held at the discretion of the chair or at the written request of any two members of the board. A majority of the current appointed members of the board shall constitute a quorum.

(c) The board shall examine and pass on the qualifications of all applicants and shall issue a license to each successful applicant attesting to his or her professional qualifications as a marriage and family therapist. The board shall adopt a seal which shall be affixed to all licenses issued by the board. The board may authorize expenditures deemed necessary to carry out this chapter from the fees which it collects and other available appropriations, but in no event shall expenditures exceed the revenues of the board during any fiscal year. The board may accept grants from foundations, individuals, and institutions to carry on its function.

(d) By rule, the board shall assess and collect fees as required for the enforcement of this chapter.

(Acts 1997, No. 97-170, p. 247, §7; Act 2006-540, p. 1243, §1.)

Section 34-17A-8 Application.

(a) Each applicant for licensure as a practicing marriage and family therapist shall submit to the board a completed application on forms prescribed by the board. The completed application shall contain the following information:

(1) Satisfactory evidence that the applicant is of good moral character and has not engaged or is not engaged in any practice or conduct that would make the applicant ineligible to receive a license pursuant to Section 34-17A-14.

(2) Satisfactory evidence that the applicant meets the education and experience requirements for licensure pursuant to Section 34-17A-10.

(3) Other information that the board may require.

(b) Applicants also shall pass an examination which has been approved by the board and shall be citizens of the United States or, if not citizens of the United States, legally present in the United States with appropriate documentation from the federal government.

(Acts 1997, No. 97-170, p. 247, §8; Act 2006-540, p. 1243, §1; Act 2009-30, p. 96, §3.)

Section 34-17A-9 Education and Experience Requirements (Prior to July 1, 1998)

Repealed by Act 2006-540, p. 1243, §2, effective July 1, 2006.

(Acts 1997, No. 97-170, p. 247, §9.)

Section 34-17A-10 Education and Experience Requirements.

The following education and experience requirements apply to all applicants for licensure who submit a completed application:

(1) Educational requirements: A master's degree or a doctoral degree in marriage and family therapy from a recognized educational institution, or a graduate degree in an allied field from a recognized educational institution and graduate level course work in marriage and family therapy.

(2) Experience requirements: Successful completion of two calendar years of work experience as a marriage and family therapy associate, following receipt of a qualifying degree.

(Acts 1997, No. 97-170, p. 247, §10; Act 2006-540, p. 1243, §1; Act 2022-238, §1.)

Section 34-17A-11 Examinations.

The board shall approve applicants for an examination at least once a year at a time and place designated by the board. Examinations shall include questions in theoretical and applied fields as the board deems most suitable to test the knowledge and competence of the applicant to engage in the practice of marriage and family therapy.

(Acts 1997, No. 97-170, p. 247, §11; Act 2006-540, p. 1243, §1.)

Section 34-17A-12 Persons Licensed or Certified in Other States.

The board shall issue a license by examination of credentials to any person licensed or certified as a marriage and family therapist in another state which has requirements for licensure that are equivalent to or exceed the requirements of this state, provided the applicant submits an application on forms prescribed by the board and pays the original licensure fee prescribed by this chapter.

(Acts 1997, No. 97-170, p. 247, §12.)

Section 34-17A-13 Fees; Duration of License; Renewal.

- (a) A fee, in an amount to be determined by the board, shall be paid to the board for original licensure.
- (b) Licenses shall be valid for two years and shall be renewed biennially prior to the expiration date. The amount of the renewal fee shall be determined by the board. Any applicant for renewal of a license that has expired shall also be required to pay a late renewal fee determined by the board.
- (c) On or before October 1 of the year preceding expiration of a license, the secretary of the board shall forward to the holder of the license a form of application for renewal thereof. No license shall be renewed unless the renewal request is accompanied by satisfactory evidence of the completion during the previous 24 months of relevant professional and continued educational experience. Upon the receipt of the completed application form, evidence of satisfactory professional and continued educational experience, and the renewal fee, the secretary shall issue a new license for the renewal period.
- (d) Necessary administrative fees may be charged by the board, including, but not limited to, reasonable costs for copying, labels, and lists. Examination and license fees may be adjusted as the board shall deem appropriate.

(Acts 1997, No. 97-170, p. 247, §13; Act 2006-540, p. 1243, §1.)

Section 34-17A-14 Disciplinary Actions.

- (a) The board may deny, revoke, or suspend a license or designation granted pursuant to this chapter or otherwise discipline a licensee on any of the following grounds:
 - (1) Conviction of a crime that 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.
 - (3) Fraud or misrepresentation in obtaining a license.
 - (4) Other just and sufficient cause that renders a person unfit to practice marriage and family therapy as adopted by the rules of the board.
- (b) Upon finding that a person governed by this chapter has practiced marriage and family therapy, advertised that he or she performs marriage and family therapy or such counseling services, or utilized a title or description denoting that he or she is a marriage and family therapist, without having first obtained a license, the board may do any of the following:
 - (1) Impose an administrative fine of not more than one thousand dollars (\$1,000).
 - (2) Issue a cease and desist order.
 - (3) Petition the circuit court of the county where the act occurred to enforce the cease and desist order and collect the assessed fine.
- (c) No license or designation may be denied, suspended, or revoked or an individual otherwise disciplined for the reasons set forth in subsections (a) and (b) without prior notice and opportunity for hearing, except that the board may, without prior notice of hearing, suspend for up to one year the license of any person convicted of a crime as set forth in subdivision (1) of subsection (a). The burden of proof shall be on the board in any proceeding to suspend or revoke a license or designation. No license or designation may be denied, suspended, or revoked or an individual otherwise disciplined pursuant to this section except by vote of a majority of the board membership.

(d) Any person may file a complaint with the board seeking denial, suspension, or revocation of a license or designation issued or to be issued by the board or seeking to otherwise discipline an individual for any violation of this chapter or the rules adopted by the board. Complaints shall be in a form prescribed by the board. If the board determines that a complaint alleges facts which, if true, would require disciplinary action or denial, revocation, or suspension of a license or designation, the board shall promptly institute a hearing. Whenever the board is of the opinion that a complaint does not state facts which warrant a hearing, the complaint may be dismissed. The board may institute a hearing for disciplinary action or for denial, suspension, or revocation of a license or designation on its own motion.

(e) Any person may be permitted to intervene and participate in board hearings on disciplinary action or denial, suspension, or revocation of licenses or designations upon a showing of an interest in the proceedings.

(f) Any person whose license has been suspended or revoked may apply to the board for vacation of the suspension or reinstatement of the license or designation.

(g) In addition to any other disciplinary action, the board may levy and collect administrative fines for violations of this chapter or the rules and regulations of the board in an amount not to exceed one thousand dollars (\$1,000) for each violation.

(Acts 1997, No. 97-170, p. 247, §14; Act 2006-540, p. 1243, §1; Act 2022-238, §1.)

Section 34-17A-15 Administrative Procedure.

(a) The board shall conduct its proceedings in accordance with this chapter and the Alabama Administrative Procedure Act, Sections 41-22-1 to 41-22-27, inclusive. Any person may be heard by the board in person or by an attorney. Every vote and official act of the board shall be entered on record. All hearings and rule-making proceedings shall be open to the public. A stenographic record shall be made of every hearing before the board.

(b) The board may administer oaths and take testimony in all matters relating to its duties. The board shall be the sole agency in this state empowered to certify concerning competence in the practice of marriage and family therapy, and the sole board empowered to license for the practice of marriage and family therapy.

(Acts 1997, No. 97-170, p. 247, §15.)

Section 34-17A-16 Promulgation of Rules, Regulations, and Procedures.

The board shall establish rules, regulations, and procedures as are necessary to the exercise of its functions under this chapter. All rules and regulations shall be promulgated by the board pursuant to the Administrative Procedure Act, Sections 41-22-1 to 41-22-27, inclusive, only after public notice and an opportunity to participate in the rule-making has been afforded all interested persons. Any person, association, corporation, or agency of government shall be permitted to participate in board rule-making proceedings.

(Acts 1997, No. 97-170, p. 247, §16.)

Section 34-17A-17 Judicial Review.

(a) A person who has exhausted all administrative remedies available within the board and who is aggrieved by a final decision of the board is entitled to judicial review. A preliminary, procedural, or intermediate board action or ruling is immediately reviewable only if review of the final board action would not provide an adequate remedy.

(b) A proceeding for review is instituted by filing a petition in the Circuit Court of Montgomery County within 30 days after service of the final decision of the board. Copies of the petition for review shall be served upon the board and the parties of record.

(c) The filing of the petition does not stay enforcement of the decision of the board. The board may grant, or the reviewing court may order, a stay upon appropriate terms.

(d) The review shall be conducted by the court without a jury and shall be confined to the record.

(e) The court shall not substitute its judgment for that of the board as to the weight of the evidence on questions of fact. The court may affirm the decisions of the board or remand the case for further proceedings.

(f) The court may reverse or modify the decision of the board if substantial rights of the appellant have been prejudiced because the disciplinary action of the board involves any of the following circumstances:

(1) A violation of constitutional or statutory provisions.

(2) An excess of the statutory authority of the board.

(3) An unlawful procedure.

(4) An error of law.

(5) A finding unsupported by substantial evidence on the record as a whole.

(6) A finding that is arbitrary or capricious or characterized by abuse of discretion or clearly unwarranted exercise of discretion.

(Acts 1997, No. 97-170, p. 247, §17.)

Section 34-17A-18 Expert Witnesses.

(a) In any proceeding before the board involving the granting, suspension, or revocation of a license or in other proceedings in which expert testimony relating to the practice of marriage and family therapy is necessary, the board shall hear evidence from a qualified expert witness or witnesses selected by the parties.

(b) An expert witness who testifies in a board proceeding shall be compensated by the party requesting the testimony. An expert witness selected to testify on behalf of the board, when it is a party to a proceeding, who is an employee of an agency of the State of Alabama, or any of its political subdivisions, shall be permitted to testify without loss of income or other benefits.

(Acts 1997, No. 97-170, p. 247, §18.)

Section 34-17A-19 Additional Remedy.

As an additional remedy, the board may proceed in the Circuit Court of Montgomery County to enjoin and restrain any unlicensed person from violating the prohibitions of this chapter. The board shall not be required to post bond.

(Acts 1997, No. 97-170, p. 247, §19.)

Section 34-17A-20 Violation.

After July 1, 1998, any person who violates this chapter shall be guilty of a Class B misdemeanor.

(Acts 1997, No. 97-170, p. 247, §20.)

Section 34-17A-21 Therapists - Privileged Communications; Exceptions.

For the purpose of this chapter, the confidential relations and communications between licensed marriage and family therapists and clients are placed upon the same basis as those provided by law between attorney and client, and nothing in this chapter shall be construed to require any such privileged communication to be disclosed, except in the following circumstances:

- (1) As mandated by law.
 - (2) To prevent a clear and immediate danger to a person or persons.
 - (3) Where the therapist is a defendant in a civil, criminal, or disciplinary action arising from the therapy, in which case client confidences may be disclosed only in the course of that action.
 - (4) Where the client is a defendant in a criminal proceeding and the use of the privilege would violate the defendant's right to a compulsory process or the right to present testimony and witnesses in his or her own behalf, or both.
 - (5) If there is a waiver previously obtained in writing, the information may be revealed only in accordance with the terms of the waiver. In circumstances where more than one person in a family receives therapy conjointly, each family member who is legally competent to execute a waiver shall agree to the waiver referred to in this subdivision. Without a waiver from each family member legally competent to execute a waiver, a therapist may not disclose information received from any family member.
 - (6) Where there is a duty to warn under the limited circumstances set forth in Section 34-17A-23.
- (Acts 1997, No. 97-170, p. 247, §21.)*

Section 34-17A-22 Therapists - Testimony in Alimony or Divorce Actions.

If both parties to a marriage have obtained marriage and family therapy by a licensed marriage and family therapist, the therapist shall not be competent to testify in an alimony or divorce action concerning information acquired in the course of the therapeutic relationship. This section shall not apply to custody actions.

(Acts 1997, No. 97-170, p. 247, §22.)

Section 34-17A-23 Therapists - Duties and Liability.

(a) There shall be no monetary liability on the part of, and no cause of action shall arise against, any person who is a licensed marriage and family therapist in failing to predict and warn of and protect from a patient's violent behavior except where the patient has communicated to the marriage and family therapist a serious threat of physical violence against a reasonably identifiable victim or victims.

(b) The duty to warn of or to take reasonable precautions to provide protection from violent behavior arises only under the limited circumstance specified in subsection (a). The duty shall be discharged by the marriage and family therapist if reasonable efforts are made to communicate the threat to the victim or victims and to a law enforcement agency.

(c) No monetary liability and no cause of action may arise under this chapter against any person who is a licensed marriage and family therapist under this chapter for confidences disclosed to third parties in an effort to discharge duty arising pursuant to subsection (a) according to subsection (b).

(Acts 1997, No. 97-170, p. 247, §23.)

Section 34-17A-24 Annual Report.

Repealed by Act 2006-540, p. 1243, §2, effective July 1, 2006.

(Acts 1997, No. 97-170, p. 247, §24.)

Section 34-17A-25 Alabama Board of Examiners in Marriage and Family Therapy Fund.

There is established a separate revenue trust fund in the State Treasury to be known as the "Alabama Board of Examiners in Marriage and Family Therapy Fund." All receipts and disciplinary fines collected by the board under this chapter shall be deposited in this fund and used only to implement this chapter. Monies shall be disbursed only by warrant of the state Comptroller upon the State Treasury, upon itemized vouchers approved by the chair of the board or an authorized designee. No funds shall be withdrawn or expended except as budgeted and allotted according to Sections 41-4-80 to 41-4-96, inclusive, and 41-19-1 to 41-19-12, inclusive, and only in amounts stipulated in general appropriations bills and other appropriations bills.

(Acts 1997, No. 97-170, p. 247, §25.)

Section 34-17A-26 Sunset Provision.

The board shall be an enumerated board pursuant to Sections 41-20-1 to 41-20-16, inclusive, and shall be reviewed at the same time as the State Board of Medical Examiners.

(Acts 1997, No. 97-170, p. 247, §26.)

Appendix II: Board Members

ALABAMA BOARD OF EXAMINERS IN MARRIAGE AND FAMILY THERAPY

PHYSICAL ADDRESS: 60 Commerce – Suite 1440, Montgomery, AL 36104

Phone: 334-395-7455

Website: www.mft.alabamal.gov

2026 BOARD MEMBERS

Anthony Watkins

Board Chair

Athens, AL

Term: October 23, 2023 – June 19, 2028

Educator Member

Appointed by: Governor Kay Ivey

Kathryn Jones, PhD

Board Co-Chair

Birmingham, AL

Term: January 19, 2024 – June 19, 2028

Practicing Member

Appointed by: Governor Kay Ivey

Dr. Timothy C. Nichols, M.D.

Member

Guntersville, AL

Term: June 23, 2022 – May 18, 2027

Public Member

Appointed by: Governor Kay Ivey

Ann Bethea

Member

Auburn, AL

Term: January 23, 2025 – December 31, 2029

Practicing Member

Appointed by: Governor Kay Ivey

Shameka Crusoe

Member

Theodore, AL

Term: January 28, 2026 – January 11, 2031

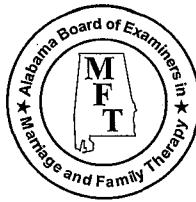
Practicing Member

Appointed by: Governor Kay Ivey



Claire H. Austin

Executive Director



ALABAMA BOARD OF EXAMINERS IN MARRIAGE AND FAMILY THERAPY

60 COMMERCE ST. SUITE 1440 • MONTGOMERY, ALABAMA 36104

PHONE: (334) 395-7455

WWW.MFT.ALABAMA.GOV

SIGNIFICANT ISSUES

There were no new significant issues noted.

STATUS OF PRIOR FINDINGS/SIGNIFICANT ISSUES

All prior findings and significant issues have been resolved except the following:

Significant Issue 2024-001: Upon expiration of a contract for administrative and management services secured through a Request for Bid process on September 30, 2021, the Board executed multiple emergency contracts during the sunset review period. Additionally, the Board operated without a contract in place for three periods of time between September 2021 and September 2023.

The Board entered into three emergency contracts with Smith Warren Management Services, Inc. (formerly Warren & Company, Inc) to provide administrative, management, and facility services beginning September 21, 2021 and expiring August 3, 2023. The Board's initial emergency contract began on September 21, 2021, at a cost of \$3,500 per month for twelve months and expired on September 20, 2022. The second emergency contract began on October 17, 2022, at a cost of \$3,500 per month and expired on March 31, 2023. During the time between these two emergency contracts, the Board operated without a contract for administrative services from September 21, 2022, through October 16, 2022.

The third emergency contract began on March 31, 2023, at a cost of \$3,500 per month, and was set to expire on August 3, 2023. This contract was temporarily approved by the Department of Finance's Chief Procurement Officer (CPO) until a new agreement could be fully executed, via the Request for Proposal (RFP) process, and presented to the Contract Review Permanent Legislative Oversight Committee (the "Committee") at the August 3, 2023, meeting.

In July 2023, the Board completed the RFP process and awarded the contract to The Austin Group, LLC. A contract between the Board and The Austin Group, LLC, was submitted to the Committee for review at the August 3, 2023, meeting. However, the Board's contract with The Austin Group, LLC, did not contain certain required language. Because the Board failed to include all required languages the contract had to be re-submitted to the Committee and signed by the Governor, delaying its effective

date. On August 23, 2023, the CPO granted an extension of the third emergency contract that expired August 3, 2023, through September 7, 2023. The Board was once again without a contract in place from August 4, 2023, through August 22, 2023.

The contract with corrected language was re-executed by the Board and The Austin Group, LLC, and resubmitted to the Committee for review at its September 2023 meeting. This contract was for a twelve-month period from the date of the Governor's signature on September 20, 2023, and expiring September 19, 2024. For a third time, the Board operated without a contract from September 8, 2023, through September 19, 2023. The contract with The Austin Group, LLC, contained an option to renew annually, however, this option was not exercised by the Board. The Board will have to re-solicit these administrative services through the RFP process.

Current Status: Unresolved. The CPO allowed the Board to enter an emergency contract with The Austin Group, LLC effective from September 24, 2024 through January 31, 2025, to allow time for completion of the RFP and award process. The Board completed the RFP process and awarded a contract to The Austin Group, LLC in November 2024.

The contract was submitted to the Committee for consideration in December 2024. The submission was rejected due to submission errors and non-compliance with Committee policies. The contract was resubmitted to the Committee for consideration at its January 2025 meeting. The Board failed to have a representative present at the Committee's January 2025 meeting to present the contract. Therefore, the contract was held by the Committee.

The contract language stipulated that the contract became effective on the date of the Governor's signature. The Governor signed the contract on February 19, 2025. The Board's emergency contract with The Austin Group, LLC was effective through January 31, 2025. Again, the Board operated without a contract in place from February 1, 2025, through February 18, 2025. Although there was no valid contract, the Board paid The Austin Group, LLC, for services provided during this period.

Response:

This issue has been resolved. The Austin Group, LLC is currently under contract C25367001 as noted above, the contract went into effect 2/19/2025 with Governor's signature. The Board has put into effect safeguards to make sure contracts are voted on by the Board three months in advance of expiration to allow plenty of time to execute the new contract. Currently, the Board pays \$3,718.40 monthly to The Austin Group for administrative services this is a cost of \$74.37 per license per year. When the Austin Group took over the Board, the cash balance of the Board was \$98,832.02. At the last Board meeting the Board's cash value was \$224,000. In addition, when the Austin Group LLC took over the Board, the Board had 482 licenses. Currently, the Board has 600 licenses. The increase is due to due diligence in the processing of applications,

having applications documents fully completed when presented to the Board.

Significant Issue 2024-002: The Board did not post vacancies forty-five days prior to the expiration of Board members' terms. Vacancy notices were not posted for two Board members whose terms expired June 20, 2023. As a result, potential candidates did not receive notice of vacancies and caused the Board not to receive input from all interested candidates to fill the vacancy.

The *Code of Alabama 1975*, Section 36-14-17(c) states, "The chair of an existing board shall notify the Secretary of State by electronic means of a vacancy as follows: (1) For a vacancy scheduled to occur on the board as a result of the expiration of a term, at least 45 days before the vacancy occurs."

Current Status: Unresolved. The Board did not post vacancy notices forty-five days prior to the expiration of a Board member's term. A vacancy notice was not posted for a Board member whose term expired January 11, 2026. As a result, potential candidates did not receive notice of vacancy and caused the Board not to receive input from all interested candidates to fill the vacancy.

Response:

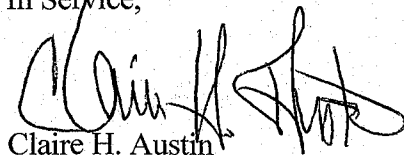
The Code of Alabama 1975, Section 36-14-17C states, "the chair of an existing board shall notify the secretary of state by electronic means of a vacancy as follows: (1) For a vacancy scheduled to occur on the board as a result of the expiration term, at least 45 days before the vacancy occurs."

The Board checks the box by Board members name on the website to guarantee its now automatically posted. All names must be submitted by the Association to the Governor's appointment office. The Association provides names to the Governor's office 60 days prior to the expiration of a current Board members. The Board has in place new safeguards to ensure that all vacancies are reported at least 45 days in advance.

MATTERS OF CONCERN FROM QUESTIONNAIRES

There were no matters of concern noted from survey responses.

In Service,


Claire H. Austin