

Reciprocity Agreement Between Tennessee and Kentucky

- I. Definitions: The parties agree that the following terms will have the following specific definitions, when used in this agreement:
 - a. Reciprocating state – The party state in which an individual is applying for a reciprocal license.
 - b. Home state – The party state in which an individual holds an active license.
 - c. Licensed Professional Clinical Counselor (LPCC) – As defined under Kentucky Revised Statutes 335.500(3), an LPCC is *“a credential holder who has been determined by the Kentucky Board to have met all qualifications set forth in Kentucky Revised Statutes 335.525(1) to engage in the independent practice of professional counseling.”* Professional counseling is defined under Kentucky Revised Statutes 335.500(5) as *“professional counseling services that involve the application of mental health counseling and developmental principles, methods, and procedures, including assessment, evaluation, treatment planning, amelioration, and remediation of adjustment problems and emotional disorders, to assist individuals or groups to achieve more effective personal, social, educational, or career development and adjustment.”*
 - d. Licensed Professional Counselor (LPC) – As defined under Tennessee Code Annotated § 63-22-150(3), an LPC is *“a person licensed under the provisions of this part who is professionally trained in counseling and guidance services designed to facilitate normal human growth and development through individual, family or group counseling, educational procedures, assessment, consultation and research and who assists individuals by the practice of counseling with their personal, social, career or educational development as they pass through life stages.”*
 - e. Licensed Professional Counselor with Mental Health Provider (LPC/MHSP) – An LPC/MHSP is an LPC who has been qualified under Tennessee Code Annotated § 63-22-120 to practice counseling as a Mental Health Service Provider. The practice of counseling as a Mental Health Service Provider is defined under Tennessee Code Annotated § 63-22-150(5) as *“the application of mental health and human development principles in order to: (A) Facilitate human development and adjustment throughout the life span; (B) Prevent, diagnose, and treat mental, emotional or behavioral disorders and associated disorders that interfere with mental health; (C) Conduct assessments and diagnoses for the purpose of establishing treatment goals and objectives within the limitations prescribed in subdivision (1); and (D) Plan, implement and evaluate treatment plans using counseling treatment interventions. ‘Counseling treatment interventions’ means*

the application of cognitive, affective, behavioral and systemic counseling strategies that include principles of development, wellness and pathology that reflect a pluralistic society. Nothing in this definition shall be construed to permit the performance of any act that licensed professional counselors designated as mental health service providers are not educated and trained to perform, nor shall it be construed to permit the designation of testing reports as 'psychological.'"

- f. Original License – The license held by an individual in the home state. The license upon which an individual bases his or her qualification for a reciprocal license in the reciprocating state.
 - g. Party – A state licensing board with the authority to grant professional counseling licenses in their respective jurisdiction, which has agreed to be bound by this Reciprocal Agreement.
 - h. Reciprocal License – A license granted to an individual in reliance on this Reciprocal Agreement, based upon information that the individual holds an appropriately issued original license in the home state.
- II. The parties acknowledge that the Licensed Professional Clinical Counselor (LPCC) License issued by Kentucky and the Licensed Professional Counselor with Mental Health Service Provider designation (LPC/MHSP) license issued by Tennessee are substantially equivalent licenses, which allow the holder to diagnose and treat mental health disorders.
 - III. The parties acknowledge that the licensing and skill requirements necessary to become a LPCC in Kentucky, as listed in Kentucky Revised Statutes 335.525 and in 201 Kentucky Administrative Regulations 36:060 and 36:070, and the skills and requirements necessary to become a LPC/MHSP in Tennessee, as listed in Tennessee Code Annotated §§ 63-22-104 and 63-22-120 and in Tennessee Comprehensive Rules and Regulations 0450-01-.04(4), 0450-01-.08, and 0450-01-.10, are substantially the same.
 - IV. The parties acknowledge that their respective statutes, KRS 335.527 and T.C.A. § 63-22-116, allow them to grant a reciprocal license under certain conditions. The parties therefore agree to reciprocally recognize and accept a valid, unrestricted, undisciplined LPCC or LPC/MHSP license from the home state as grounds to grant a reciprocal license in the reciprocating state under the following conditions:
 - a. This agreement applies only to individuals eighteen (18) years of age or older who were properly licensed according to the statutes and rules of the home state and who can demonstrate five years of experience working as an LPCC or an LPC/MHSP.

- b. The parties agree that individuals applying for a reciprocal license in accordance with this agreement will pay the fee for a reciprocal license specified in the reciprocating state's statutes or rules, or if there is no reciprocal license fee specified, will pay the same statutory fee that an applicant for an original license would pay in the reciprocating state.
 - c. The parties agree that receipt of a reciprocal license in a reciprocating state will have no effect on the status of the original license in the home state. Individuals may have both an active original license and an active reciprocal license.
 - d. Each party reserves the right to administer a jurisprudence or ethics exam on the statutes and rules of their state, and to deny, restrict, or condition a reciprocal license based on the results of that exam.
 - e. Each party reserves the right to request proof of good character, which may include a recent background check, letters of recommendation, and/or an interview before the party, and to deny, restrict, or condition a reciprocal license based on the results of the good character inquiry.
 - f. Each party reserves the right to require proof of an active, valid license or certificate from the other state, to practice as an LPCC or LPC/MHSP, and proof of good standing with the certifying or licensing board.
 - g. Each party reserves the right to reject an applicant for reciprocity or condition a reciprocal license on the basis of discovered or disclosed criminal history, fraud in the application, or other unprofessional conduct, as determined by the reciprocating party.
 - h. Each party reserves the right to discipline an individual holding either an original or reciprocal license in that party's state for a violation of that party's practice act or rules, regardless of where the violation of law or rule occurred.
- V. The parties recognize that Tennessee Licensed Professional Counselor (LPC) License is not equivalent to the Kentucky LPCC License because the education and training is not substantially similar. Therefore the parties agree that the Tennessee LPC license cannot be considered an original license upon which a reciprocal license in Kentucky may be based.
- VI. This agreement may be terminated by either party upon thirty (30) days written notice.
- VII. This agreement may not be altered, amended or modified without the express written consent of both parties to an amended agreement or addendum to the agreement. Written consent shall mean execution by each party's respective chairpersons after authorization by board vote.

Adopted by the respective parties according to their respective statutes and rules on March 20, 2015.

Signed: Susan E. Hammond-White

Chairperson of the Tennessee Board of Licensed Professional Counselors, Licensed Marriage and Family Therapists, and Licensed Pastoral Therapists

Date: 3/24/15

Signed: Cara Duffell

Chairperson of the Kentucky Board of Licensed Professional Counselors

Date: 4-17-15