

# TEXAS STATE BOARD OF EXAMINERS OF MARRIAGE AND FAMILY THERAPISTS



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## Guidelines for Technology-Assisted Services

The delivery of technology-assisted services is defined as “Providing therapy or supervision with technologies and devices for electronic communication and information exchange between a licensee in one location and a client or supervisee in another location” [22 TAC §801.2]. Additional safeguards may be necessary when delivering services via remote or electronic means, such as:

1. Before a crisis occurs, provide the client information about their local crisis support resources.
2. Obtain appropriate written informed consent, including information regarding technology-assisted services.
3. Continually assess and document each client’s appropriateness for receiving technology-assisted services.
4. Consider how the lack of vocal, visual, and other sensory cues may affect assessment and treatment.
5. Maintain a plan for managing equipment failures to ensure continuity of services.
6. Ensure confidentiality and privacy of technology-assisted sessions.

It is important to remember that the Licensed Marriage and Family Therapist Act (the Act) and all other laws and rules affecting the delivery of professional services apply to all professional services delivered anywhere within the state of Texas, regardless of how they are delivered.

Complaints received by the Texas Behavioral Health Executive Council (Council) regarding technology-assisted services will be evaluated by the Council on a case-by-case basis, and the following general principles will be applied to any such complaints. However, these guidelines are not intended to conflict with, nor should they be construed to alter, requirements for the delivery of technology-assisted services that have been established by exempt facilities, such as Veterans Affairs.

An individual who is physically located in another state shall be considered to be practicing in Texas and therefore subject to the Act, if a recipient of services is physically located in the state of Texas at the time services are received. Licensees should also be aware that services they offer to consumers in other states may similarly be regulated by the laws and rules of the state in which the consumers are physically located. Before providing any services to clients in other states, clinicians who hold a Texas license are encouraged to consult with the licensing authority of the state(s) in which their clients are physically located. Similarly, clinicians who hold a Texas license but are providing services to clients who are physically in Texas, while they themselves are physically located outside Texas, should consult with the licensing authority of the state in which the clinician is physically located.

The Council currently considers the use of technology-assisted services as an “emerging area” per Council rule 22 TAC §801.44(p): “A licensee may not offer services that are beyond the licensee’s professional competency, and the services provided must be within accepted professional standards of practice and appropriate to the needs of the client. In emerging areas in which generally recognized standards for preparatory training do not exist, licensees must take reasonable steps to ensure the competence of their work and to protect clients, research participants, and other affected individuals from the potential for harm.” This rule requires that licensees, who provide services in new areas or involving new techniques, do so only after undertaking appropriate study, training, supervision, and/or consultation from persons who are competent in those areas or techniques.

It is important for licensees considering such services to review the characteristics of the services, the service delivery method, and the provisions for confidentiality to ensure compliance with the Council rules, as well as federal and state law. Licensees should review [all Council rules](#), particularly [22 TAC §801.58 Technology-Assisted Services](#), for enforceable minimum standards of practice. Licensees are also encouraged to review the [Teletherapy & Telesupervision Guidelines II \(August 2021\)](#) published by the Association of Marital and Family Therapy Regulatory Boards (AMFTRB), and incorporate those best practices where congruent with federal and state law.