

- An applicant for the psychotherapy privilege must be licensed and registered as a Licensed Clinical Social Worker (LCSW) in New York State and must document the completion of 36 months of supervised experience in psychotherapy as defined in section 74.5(b) of the Commissioner's Regulations, acceptable to the Department. The supervised experience must be after the individual was licensed as an LCSW.
- A total of 36 months and 2,400 hours of direct client contact in psychotherapy is required. The LCSW must complete a minimum of 400 client contact hours in any 12-month period. Part-time experience will increase the time to complete the required hours.
- A client contact hour is defined as at least 45 minutes of psychotherapy with individuals, families or groups. An applicant may combine sessions of less than 45 minutes to calculate the client hours if clinically appropriate, as determined by the supervisor. Concrete social work services, including collateral contacts, record-keeping, case management, and other activities are not considered the practice of psychotherapy and may not be considered in the calculation of client contact hours.

Qualified Supervisor

The experience must be supervised by an individual who is a(n):

- LCSW with the "R" privilege in New York State or the equivalent as determined by the Department, equivalent meaning the supervisor has his or her own 3 years of supervised, post license experience; or
- Psychologist who, at the time of supervision of the applicant, was licensed as a psychologist in the state where supervision occurred, was qualified in psychotherapy as determined by the Department based upon the Department's review of the psychologist's education and training, including but not limited to education and training in psychotherapy obtained through completion of a program in psychotherapy registered pursuant to Part 52 of the Regulations of the Commissioner of Education or a program in psychology accredited by the American Psychological Association; or
- Physician who, at the time of supervision of the applicant, was a diplomate in psychiatry of the American Board of Psychiatry and Neurology, Inc. or had the equivalent training and experience as determined by the Department.

A supervisor may not have a familial relationship with the applicant, as such dual relationships may constitute a charge of unprofessional conduct under the Education Law and Regents Rules.

The Department will review the qualifications of a prospective supervisor prior to the experience as part of the plan review. Approval of a supervisor does not guarantee approval of the applicant's experience which must be completed in accordance with Part 74.5 of the Commissioner's Regulations.

Supervision Sessions

The supervision must meet the following requirements:

- individual or group consultation of no less than two hours per month; or
- enrollment in a program authorized to provide psychotherapy offered by an institution of higher education or by a psychotherapy institute chartered by the Board of Regents.

Setting for the Experience

All experience that is completed in New York State must be in a setting that is legally authorized to provide psychotherapy and clinical social work services. An acceptable setting is defined as:

- A practice owned or operated by the applicant;
- A sole proprietorship owned by a licensee who provides services that are within the scope of his or her profession and services that are within the scope of psychotherapy;
- A professional partnership owned by licensees who provide services that include psychotherapy;
- A professional service corporation, registered limited liability partnership or professional service limited liability corporation that is owned by a licensed clinical social worker with the "R" privilege, licensed psychologist or licensed physician who is competent in psychiatry;
- A hospital or clinic authorized under Article 28 of the Public Health Law and authorized to provide health services, including clinical social work;
- A program or facility authorized under the Mental Hygiene law to provide appropriate health services, including clinical social work;
- A program or facility authorized under federal law, such as the Veterans' Administration, to provide health services including clinical social work;
- A public elementary, middle or high school authorized by the Education Department to provide school social work services as defined in Part 80-2.3 of the Commissioner's Regulations, including clinical social work;
- An entity defined as exempt from the licensing requirements under New York Law*.

In New York State, a general business corporation or not-for-profit corporation may not provide professional services or employ licensed professionals unless authorized under law. The certificate of incorporation should clarify the purpose of the entity and whether licensed professionals may be employed to provide services that are restricted under Title VIII of the Education Law.

It is your responsibility to practice only under a qualified supervisor and in an authorized setting. You should review the supervisor qualifications and acceptable experience with an employer before you accept a position practicing clinical social work.

*Note: Section 9 of chapter 420 of the laws of 2002, as subsequently amended provides: "Nothing in this act shall prohibit or limit the activities or services on the part of any person in the employ of a program or service operated, regulated, funded, or approved by the department of mental hygiene, the office of children and family services, department of correctional services, state office for the aging, department of health, or a local governmental unit as that term is defined in article 41 of the mental hygiene law or a social services district as defined under section 61 of the social services law, provided, however, this section shall not authorize the use of any title authorized pursuant to article 154 of the education law, except as otherwise provided by such articles, except that this section shall be deemed repealed on July 1, 2018."

See Part 74.5 of the Commissioner's Regulations for more detail.