



The Commonwealth of Massachusetts

Executive Office of Health and Human Services

Department of Public Health

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Board of Registration of Allied Mental Health and Human Services Professions

Maura T. Healey
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Robert Goldstein, MD, PhD
Commissioner

NOTICE OF PUBLIC HEARING

Notice is hereby given pursuant to M.G.L. c. 30A, §2 that the Board of Registration of Allied Mental Health and Human Services Professions (“AMH Board”), within the Department of Public Health, will hold a public hearing on amendments to the following regulations:

- 262 CMR 2.00, *Requirements for Licensure as a Mental Health Counselor* – These regulations establish the eligibility criteria for licensure as a LMHC;
- 262 CMR 3.00, *Requirements for Licensure as a Marriage and Family Therapist* – These regulations state eligibility criteria for LMFT; and
- 262 CMR 8.00, *Ethical Codes and Standards of Conduct* – These regulations identify the ethical codes of national associations that the Board has adopted for each of its licensed professions and state additional Board standards for the profession.

These proposed amendments (a) establish licensure requirements for the new license category of Licensed Supervised Mental Health Counselors (LSMHCs), in accordance with Chapter 177 of the Acts of 2022; (b) clarify eligibility requirements for Licensed Mental Health Counselors (LMHC) and Licensed Marriage and Family Therapists (LMFT); and (c) update one reference to the ethical code and apply relevant ethics rules to the Licensed Supervised Mental Health Counselor licenses. The proposed amendments intend to implement legislative initiatives to better represent the population of licensees on this board, clarify regulatory requirements, and reduce the barriers to mental health treatment and access.

The public hearing will be held at **10:00 a.m. on Friday, September 19, 2025**. The hearing will be conducted on a **moderated conference call**. The information for the moderated conference call is:

Dial-in Telephone Number: **1-888-469-3045**

Participant Code: **9412521**

This Hearing will be held jointly with the hearing on the Executive Office of Administrative and Finance regulation 801 CMR 4.00. A copy of the proposed amendments to 262 CMR 2.00, 262 CMR 3.00, and 262 CMR 8.00 may be viewed on the Department’s website at <https://www.mass.gov/service-details/proposed-regulations-and-amendments-department-of-public-health> or requested from the Office of the General Counsel by calling 617-624-5220.

Speakers who testify at the public hearing are requested to provide a copy of their oral testimony. The Department encourages all interested parties to submit testimony electronically to the following address: Reg.Testimony@mass.gov, or by mail to William Anderson, Office of the General Counsel, Department of Public Health, 250 Washington Street, Boston, MA 02108. All submissions must include the sender's full name and address. When electronically submitting comments, type "AMH Board Regulations" in the subject line and attach a Word document with your comments or type your comments in the body of your email. All submissions must include the sender's full name and address.

The Department will post all testimony that complies with these instructions on its website. **All comments must be submitted by 5:00 p.m. on Friday, September 19, 2025.** All comments received by the Department may be released in response to a request for public records.

Small Business Impact Statement

(As required by M.G.L. c. 30A §§ 2, 3 & 5)

CMR No: 262 CMR 2.00

Estimate of the Number of Small Businesses Impacted by the Regulation: 10,279 Licensed Mental Health Counselors

Select Yes or No and Briefly Explain

Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>	Will small businesses have to create, file, or issue additional reports? <i>No, the regulation imposes no requirement to create, file or issue additional reports.</i>
Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>	Will small businesses have to implement additional recordkeeping procedures? <i>No, Licensed Mental Health Counselors ("LMHCs") are already required to maintain patient/client records.</i>
Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>	Will small businesses have to provide additional administrative oversight? <i>No, the amended regulation does not require small businesses to provide additional administrative oversight.</i>
Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>	Will small businesses have to hire additional employees in order to comply with the proposed regulation? <i>No, the amended regulation does not require small businesses to hire additional employees.</i>
Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>	Does compliance with the regulation require small businesses to hire other professionals (e.g. a lawyer, accountant, engineer, etc.)? <i>No, the amended regulation does not require small businesses to hire other professionals.</i>
Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>	Does the regulation require small businesses to purchase a product or make any other capital investments in order to comply with the regulation? <i>No, the amended regulation does not require small businesses to purchase a product or make any other capital investment.</i>
Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>	Are performance standards more appropriate than design/operational standards to accomplish the regulatory objective? (Performance standards express requirements in terms of outcomes, giving the regulated party flexibility to achieve regulatory objectives and design/operational standards specify exactly what actions regulated parties must take.) <i>No, because State law mandates that "Said board shall promulgate regulations which set forth education requirements necessary for a person to be licensed under the provisions of section one hundred and sixty-five of said chapter one hundred and twelve." G.L. c. 13, § 90.</i>

Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>	<p>Do any other regulations duplicate or conflict with the proposed regulation?</p> <p><i>No, the Board has exclusive authority over the licensing and regulation of LMHCs and the new licensure category of Licensed Supervised Mental Health Counselors (“LSMHCs”).</i></p>
Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>	<p>Does the regulation require small businesses to cooperate with audits, inspections or other regulatory enforcement activities?</p> <p><i>There are no such requirements in this regulation.</i></p>
Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>	<p>Does the regulation require small businesses to provide educational services to keep up to date with regulatory requirements?</p> <p><i>No, LMHCs will continue to be required to meet continuing education requirements, but the regulation does not require small businesses to provide these educational services to licensees.</i></p>
Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>	<p>Is the regulation likely to <i>deter</i> the formation of small businesses in Massachusetts?</p> <p><i>There is no provision in the amended regulation that should deter the formation of small business in the Commonwealth.</i></p>
Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>	<p>Is the regulation likely to <i>encourage</i> the formation of small businesses in Massachusetts?</p> <p><i>Yes, the amended regulation implements a new licensure category of LSMHCs for eligible graduates of counseling programs who are working under supervision to gain the two years of supervised experience needed for full licensure as an LMHC. Counseling services performed by LSMHCs will be reimbursable under certain insurance plans. Massachusetts businesses will be more likely to employ LSMHCs because the business will be able to seek insurance reimbursement for the counseling services provided by LSMHCs. LSMHCs who gain their two years of supervised experience in Massachusetts will be more likely to remain in Massachusetts and this will increase the number of small mental health counseling businesses in Massachusetts.</i></p>
Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>	<p>Does the regulation provide for less stringent compliance or reporting requirements for small businesses?</p> <p><i>This regulation does not establish compliance or reporting requirements for small businesses</i></p>
Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>	<p>Does the regulation establish less stringent schedules or deadlines for compliance or reporting requirements for small businesses?</p> <p><i>This regulation does not establish compliance or reporting requirements for small businesses.</i></p>
Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>	<p>Did the agency consolidate or simplify compliance or reporting requirements for small businesses?</p>

		<i>This regulation does not establish compliance or reporting requirements for small businesses.</i>
Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>	<p>Can performance standards for small businesses replace design or operational standards without hindering delivery of the regulatory objective?</p> <p><i>The amended regulation sets performance standards, not design or operation standards.</i></p>
Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>	<p>Are there alternative regulatory methods that would minimize the adverse impact on small businesses?</p> <p><i>No, professional licensing requirements and mandatory standards of practice are “requirement[s] of general application and future effect,” which must be established through regulations pursuant to G.L. c. 30A, s. 1(5).</i></p>

Small Business Impact Statement <i>(As required by M.G.L. c. 30A §§ 2, 3 & 5)</i>		
CMR No: 262 CMR 3.00		
Estimate of the Number of Small Businesses Impacted by the Regulation: 842 Licensed Marriage and Family Therapists		
Select Yes or No and Briefly Explain		
Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>	Will small businesses have to create, file, or issue additional reports? <i>No, the regulation imposes no requirement that Licensed Marriage and Family Therapists create, file or issue additional reports.</i>
Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>	Will small businesses have to implement additional recordkeeping procedures? <i>No, Licensed Marriage and Family Therapists are already required to maintain patient/client records.</i>
Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>	Will small businesses have to provide additional administrative oversight? <i>No, the amended regulation does not require small businesses to provide additional administrative oversight.</i>
Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>	Will small businesses have to hire additional employees in order to comply with the proposed regulation? <i>No, the amended regulation does not require small businesses to hire additional employees.</i>
Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>	Does compliance with the regulation require small businesses to hire other professionals (e.g. a lawyer, accountant, engineer, etc.)? <i>No, the amended regulation does not require small businesses to hire other professionals.</i>
Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>	Does the regulation require small businesses to purchase a product or make any other capital investments in order to comply with the regulation? <i>No, the amended regulation will not require small businesses to purchase a product or make any other capital investments.</i>
Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>	Are performance standards more appropriate than design/operational standards to accomplish the regulatory objective? (Performance standards express requirements in terms of outcomes, giving the regulated party flexibility to achieve regulatory objectives and design/operational standards specify exactly what actions regulated parties must take.) <i>State law requires the Board of Registration of Allied Mental Health and Human Services Professions to license and establish minimum practice standards for Licensed Marriage and Family Therapists. M.G.L. c. 13, §90.</i>
Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>	Do any other regulations duplicate or conflict with the proposed regulation?

		<i>No, the Board has exclusive authority over the licensing and regulation of Licensed Marriage and Family Therapists</i>
Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>	Does the regulation require small businesses to cooperate with audits, inspections or other regulatory enforcement activities? <i>There are no such requirements.</i>
Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>	Does the regulation require small businesses to provide educational services to keep up to date with regulatory requirements? <i>No, Licensed Marriage and Family Therapists will continue to be required to meet continuing education requirements, but the regulation does not require small businesses to provide these educational services to licensees.</i>
Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>	Is the regulation likely to <i>deter</i> the formation of small businesses in Massachusetts? <i>There is no provision in the amended regulation that should deter the formation of small business in the Commonwealth.</i>
Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>	Is the regulation likely to <i>encourage</i> the formation of small businesses in Massachusetts? <i>Yes, licensure would encourage the formation of small business.</i>
Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>	Does the regulation provide for less stringent compliance or reporting requirements for small businesses? <i>This regulation does not establish compliance or reporting requirements for small businesses</i>
Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>	Does the regulation establish less stringent schedules or deadlines for compliance or reporting requirements for small businesses? <i>This regulation does not establish compliance or reporting requirements for small businesses.</i>
Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>	Did the agency consolidate or simplify compliance or reporting requirements for small businesses? <i>This regulation does not establish compliance or reporting requirements for small businesses</i>
Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>	Can performance standards for small businesses replace design or operational standards without hindering delivery of the regulatory objective? <i>The amended regulation sets performance standards, not design or operation standards.</i>
Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>	Are there alternative regulatory methods that would minimize the adverse impact on small businesses? <i>No, state law requires the Board to license and establish minimum practice standards for Licensed Marriage and Family Therapists. M.G.L. c. 13, §90</i>

Small Business Impact Statement
(As required by M.G.L. c. 30A §§ 2, 3 & 5)

CMR No: 262 CMR 8.00

Estimate of the Number of Small Businesses Impacted by the Regulation: 15,902 licensees of the Board of Allied Mental Health and Human Services Professions

Select Yes or No and Briefly Explain

Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>	Will small businesses have to create, file, or issue additional reports? <i>No, the regulation imposes no requirement that licensees of the Board of Allied Mental Health and Human Services Professions create, file or issue additional reports.</i>
Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>	Will small businesses have to implement additional recordkeeping procedures? <i>No, licensees of the Board of Allied Mental Health and Human Services Professions are already required to maintain patient/client records.</i>
Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>	Will small businesses have to provide additional administrative oversight? <i>No, the amended regulation does not require small businesses to provide additional administrative oversight.</i>
Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>	Will small businesses have to hire additional employees in order to comply with the proposed regulation? <i>No, the amended regulation does not require small businesses to hire additional employees.</i>
Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>	Does compliance with the regulation require small businesses to hire other professionals (e.g. a lawyer, accountant, engineer, etc.)? <i>No, the amended regulation does not require small businesses to hire other professionals.</i>
Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>	Does the regulation require small businesses to purchase a product or make any other capital investments in order to comply with the regulation? <i>No, the amended regulation does not require Board licensees to purchase a product or make other capital investments.</i>
Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>	Are performance standards more appropriate than design/operational standards to accomplish the regulatory objective? (Performance standards express requirements in terms of outcomes, giving the regulated party flexibility to achieve regulatory objectives and design/operational standards specify exactly what actions regulated parties must take.) <i>State law requires the Board of Registration of Allied Mental Health and Human Services Professions to license and establish minimum practice standards for each allied mental health and human services profession licensed by the Board. M.G.L. c. 13, §90.</i>
Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>	Do any other regulations duplicate or conflict with the proposed regulation?

		<i>No, the Board has exclusive authority over the licensing and regulation of its licensees.</i>
Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>	Does the regulation require small businesses to cooperate with audits, inspections or other regulatory enforcement activities? <i>There are no such requirements.</i>
Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>	Does the regulation require small businesses to provide educational services to keep up to date with regulatory requirements? <i>No, licensees of the Board of Allied Mental Health and Human Services Professions will continue to be required to meet continuing education requirements, but the regulation does not require small businesses to provide these educational services to licensees.</i>
Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>	Is the regulation likely to <i>deter</i> the formation of small businesses in Massachusetts? <i>There is no provision in the amended regulation that should deter the formation of small business in the Commonwealth.</i>
Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>	Is the regulation likely to <i>encourage</i> the formation of small businesses in Massachusetts? <i>Yes, licensure would encourage the formation of small business.</i>
Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>	Does the regulation provide for less stringent compliance or reporting requirements for small businesses? <i>This regulation does not establish compliance or reporting requirements for small businesses</i>
Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>	Does the regulation establish less stringent schedules or deadlines for compliance or reporting requirements for small businesses? <i>This regulation does not establish compliance or reporting requirements for small businesses.</i>
Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>	Did the agency consolidate or simplify compliance or reporting requirements for small businesses? <i>This regulation does not establish compliance or reporting requirements for small businesses</i>
Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>	Can performance standards for small businesses replace design or operational standards without hindering delivery of the regulatory objective? <i>The amended regulation sets performance standards, not design or operation standards.</i>
Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>	Are there alternative regulatory methods that would minimize the adverse impact on small businesses? <i>No, state law requires the Board to license and establish minimum practice standards for each of its licensed professions. M.G.L. c. 13, §90</i>