

**TITLE 86. STATE BOARD OF BEHAVIORAL HEALTH LICENSURE
CHAPTER 10. LICENSED PROFESSIONAL COUNSELORS**

SUBCHAPTER 1. GENERAL PROVISIONS

86:10-1-2. Definitions

When used in this Chapter, the following words and/or terms shall have the following meaning unless the context clearly requires otherwise:

"Act" means the Licensed Professional Counselors Act, 59 O.S. §§ 1901 et seq., as amended.

"Administrative Procedures Act" ("APA") means Article I and/or Article II of the Administrative Procedures Act, 75 O.S. §§ 250 et seq.

"Applicant" means a person who has made a formal application with the Board.

"Approved LPC Supervisor" ("Supervisor") means an individual who meets the qualifications to become an approved supervisor and is approved by the Board pursuant to Section 86:10-11-4 of this Chapter.

"Board" means the State Board of Behavioral Health Licensure.

"Complainant" means any person who files a Request for Inquiry against a LPC, Candidate, or a person who delivers licensed professional counseling services without a license.

"Complaint Committee" means one Board member who is a LPC, the Executive Director, the Assistant Attorney General and may include other appropriate individuals as determined by the Committee.

"Dual relationship" means a familial, social, financial, business, professional, close personal, sexual or other non-therapeutic relationship with a client, or engaging in any activity with another person that interferes or conflicts with the LPC's or LPC Candidate's professional obligation to a client.

"Direct Client Contact Hours" means the performance of therapeutic or clinical functions that includes diagnosis, assessment and treatment of mental, emotional and behavioral disorders based primarily on verbal communications and intervention with, and in the presence of, one or more clients.

"Employee" means in accordance with 26 U.S.C. § 3121 (d):

- (A) Any officer of a corporation; or
- (B) Any individual who, under the usual common law rules applicable in determining the employer-employee relationship, has the status of employee.

"Face-to-face learning" means the delivery of graduate coursework or continuing education through instruction that is designed to deliver education to learners who are in the direct physical presence of the educator or designed to deliver education to learners through synchronous instructional delivery methods.

"Face-to-face supervision" means the Supervisor and the Candidate shall be in the physical presence of the other during individual or group supervision.

"Forensic services" means the application of knowledge, training and experience from the mental health field to the establishment of facts and/or the establishment of evidence in a court of law or ordered by a court of law.

"Formal Complaint" means a written statement of alleged violation(s) of the Act and/or Rules which is filed by the Assistant Attorney General. The Formal Complaint schedules an Individual Proceeding before the Board in accordance with 75 O.S. §309.

"Full time" means at least five (5) hours of on-the-job experience per week.

"Group supervision" means an assemblage of two (2) to six (6) Candidates.

"Home-study" or **"technology-assisted distance learning"** means the delivery of graduate coursework or continuing education through mailed correspondence or other distance learning technologies, which focuses on using asynchronous instructional delivery methods.

"Licensed Professional Counselor" ("LPC") means a person holding a current license issued pursuant to the provision of the Professional Counselor Licensure Act.

"Licensed Professional Counselor Candidate" ("Candidate") means a person whose application for licensure has been accepted and who is under supervision for licensure as provided in 59 O.S. §1906.

"Licensure Committee" means two LPC Board members, the Executive Director, and may include other appropriate individuals as determined by the Committee.

"OAC" means the Oklahoma Administrative Code.

"On-the-job experience" means the performance of counseling activities as described in Section 1902 of the Act and 86:10-11-3 of the OAC and includes the application of mental health and developmental principles in order to facilitate human development and adjustment throughout the life span, prevent, diagnose or treat mental, emotional or behavioral disorders or associated distress which interfere with mental health; conduct assessments or diagnoses for the purpose of establishing treatment goals and objectives; plan, implement or evaluate treatment plans using counseling treatment interventions; the application of cognitive, affective, behavioral and systemic counseling strategies which include principles of development, wellness, and pathology that reflect a pluralistic society. Such interventions are specifically implemented in the context of a professional counseling relationship; interpreting or reporting scientific fact or theory in counseling to provide assistance in solving current or potential problems of individuals, groups or organizations; the evaluating of data to identify problems and to determine the advisability of

referral to other specialists; and reporting, designing, conducting or consulting on research in counseling, planning, designing, conducting, and reporting research only in a manner as published in Section G., Research and Publication, of the American Counseling Association (ACA) Code of Ethics, approved by the ACA Governing Council, 2005. (OAC 86: 10-3-2(e)).

~~"On-site supervisor" means a person who may not be an approved LPC supervisor but is licensed by the state of Oklahoma as a Licensed Marital and Family Therapist, Licensed Professional Counselor, Licensed Behavioral Practitioner, Psychologist, Clinical Social Worker, Psychiatrist, or Licensed Alcohol and Drug Counselor employed by the agency employing the LPC Candidate whose assigned job duties include acting as the immediate supervisor to the LPC Candidate and who is available to the candidate at all times when counseling services are being rendered by the LPC Candidate.~~

"Request for Inquiry" ("RFI") means a written or oral statement of complaint from any person alleging possible violation(s) of the Act and/or Rules.

"Respondent" means the person against whom an Individual Proceeding is initiated.

"Semi-Annual" means every six (6) months.

"Staff" means the personnel of the Board.

"Technology-assisted supervision" refers to supervision that occurs through video teleconferencing, over secure internet connections, wherein a Supervisor and a Candidate are in separate physical locations.

SUBCHAPTER 7. APPLICATION PROCEDURES

86:10-7-2. Application materials and forms

(a) Each application shall include the following documents:

- (1) Application form,
- (2) Official transcript(s),
- (3) Internship/Practicum Documentation Form,
- (4) Completed criminal background check, and
- (5) Fees.

(b) The Application Form requires the following:

- (1) Identifying information;
- (2) Possession of other credentials;
- (3) Previous misconduct;
- (4) Education; and
- (5) Proposed professional practice.

(c) The Internship/Practicum Documentation form requires the following:

- (1) Identifying information; and
- (2) Time, place, location of practicum.

(d) The Supervision Agreement requires identifying information of supervisee and supervisor as follows:

- (1) Name of candidate;

- (2) Name of candidate's place of employment;
- (3) Location supervised experience hours are being accrued;
- ~~(4) Candidate's contact information;~~
- ~~(5) Signature of Candidate;~~
- (64) Name of Approved LPC Supervisor;
- ~~(7) Name of Approved LPC Supervisor's place of employment;~~
- ~~(8) LPC Approved Supervisor's contact information;~~
- ~~(9) Signature of LPC Approved Supervisor;~~
- ~~(10) Name of On-Site Supervisor;~~
- ~~(11) On-Site Supervisor's licensure information;~~
- ~~(12) Name of On-Site Supervisor's place of employment;~~
- ~~(13) On Site Supervisor's contact information;~~
- ~~(14) Signature of On-Site Supervisor.~~

(e) The Verification of Academic Standing requires the following information:

- (1) Name of applicant;
- (2) Name of university;
- (3) Name of graduate program;
- (4) Name of degree;
- (5) Total number of graduate coursework hours required to receive diploma;
- (6) Date of graduation;
- (7) Signature and signature date of applicant;
- (8) Name of administrator and/or school official;
- (9) Title/position of administrator and/or school official;
- (10) Telephone number of administrator and/or school official;
- (11) Email address of administrator and/or school official;
- (12) Signature and signature date of administrator and/or school official.

SUBCHAPTER 9. ACADEMIC REQUIREMENTS

86:10-9-1. Graduate hours and degrees required

Each applicant shall possess at least a master's degree in counseling, or a mental health related graduate degree deemed substantially content-equivalent. All graduate course work applied toward licensure shall be from a regionally accredited college or university recognized by ~~the United States Department of Education~~ one of the following six regional accrediting associations: The New England Commission on Higher Education (NECHE), The Middle States Association of Colleges and Schools (MSCHE), The Higher Learning Commission (HLC), The Northwest Commission on Colleges and Universities (NWCCU); The WASC Senior College and University Commission (WSCUC), The Southern Association of Colleges and Schools Commission on Colleges (SACSCOC), or their predecessors or successors. At least sixty (60) semester credit hours or ninety (90) quarter credit hours of graduate counseling-related course work, including internship, shall be earned. In order to be considered acceptable, the graduate degree(s) shall:

~~(1) follow a planned, sequenced mental health program of study which is reflected in the university catalog and approved by the governing authority of the college or university.; be accredited by the Council for Accreditation of Counseling & Related Education Programs (CACREP).; or~~
~~(2) be from a program deemed content-equivalent to the CACREP educational requirements as determined by the Board. The degree must include a program whose primary focus is clearly to prepare the applicant for a career in counseling.; and be listed in the college or university catalog.; or~~
~~(3) be from a non-CACREP approved program or a program that has not been deemed equivalent by the Board. The applicant must submit their educational credentials to the Board or the Board's designated credentialing agency for evaluation and determination of whether the program satisfies the requirements of Subchapter 9. Applicants with degrees earned from institutions outside the United States must provide an acceptable comprehensive evaluation of the degree performed by a foreign credential evaluation service that is acceptable to the Board or the Board's designated credentialing agency, and any other requirement(s) the Board deems necessary. be listed in the college or university catalog.; or~~
~~(4) be accredited by the Council for Accreditation of Counseling & Related Education Programs (CACREP).~~

86:10-9-2. Knowledge area required

(a) In order to qualify as a "content-equivalent" degree, Each a graduate transcript must document applicant shall possess as a part of the required sixty (60) semester credit hours or ninety (90) quarter credit hours of graduate curriculum, one (1) or more courses of at least three (3) semester credit hours or four (4) quarter credit hours per course in each of the following core counseling areas:

- ~~(1) Human growth and life span development - at least one (1)-~~ course which deals with the process stages of human intellectual, physical, social and emotional development of any of the stages of life from prenatal through old age.
- ~~(2) Abnormal human behavior and diagnostic processes- at least one (1)-~~ course which offers a study of the principles of understanding dysfunction in human behavior or social disorganization.
- ~~(3) Appraisal/assessment techniques - at least two (2)-~~ courses which deal with the principles, concepts and procedures of systematic appraisal, assessment, or interpretation of client needs, abilities, and characteristics, which may include the use of both testing and non-testing approaches.
- ~~(4) Counseling theories/methods Practice and Relationships - at least two (2)-~~ courses which surveys the major theories and/or

techniques of counseling-, interviewing, attending, and listening skills in the counseling process, counseling strategies and techniques, application of technology to counseling, and/or critical thinking and reasoning strategies for clinical judgment.

(5) Professional counseling orientation/ethics and ethical practice - ~~at least one (1)~~ course which deals primarily with the objectives of professional counseling organizations, codes of ethics, legal aspects of practice, standards of preparation and the role of persons providing direct counseling services-, history and philosophy of the counseling profession, professional counseling credentialing, legislation and regulatory standards, and/or the role and process of the professional counselor.

(6) Research and program evaluation- ~~at least one (1)~~ course in the methods of social science or mental health research which includes the study of statistics or a thesis project in an area relevant to the practice of counseling.

(7) Practicum/internship - ~~at least one (1)~~ course of an organized practicum or internship with at least three hundred (300) clock hours in counseling with planned experiences providing classroom and field experience with clients under the supervision of college or university approved counseling professionals.

(8) Group counseling and group work - course that provides both theoretical and experiential understandings of group purpose, development, dynamics, theories, methods, skills, and other group approaches in a culturally diverse society, including issues of group counseling leadership, stages, skills, methods, and ethics issues.

(9) Career development - course that provides an understanding of career development and related life factors, as well as an overview of career development theories, program planning, educational planning, assessment techniques, and applied career counseling processes, including those applicable to specific populations in a global economy.

(10) Social and cultural identities and experiences - course that provides an understanding of the cultural context of relationships, issues, and trends in a culturally diverse society, including an overview of social and cultural theories, strategies, and roles to be applied by the pluralistic counselor to establish an environment for optimal client wellness and successful counseling outcomes.

~~(811)~~ Additional knowledge areas: - ~~at least five (5)~~ courses of The remaining courses needed to meet the sixty (60) semester or ninety (90) quarter graduate-hour requirement shall be in any of the core counseling areas listed above or any of the additional knowledge areas listed below. Courses must be at least three (3) semester credit hours or four (4)

quarter credit hours ~~each from the knowledge areas listed below.~~

~~(A) Group counseling - course that provides both theoretical and experiential understandings of group purpose, development, dynamics, theories, methods, skills, and other group approaches in a culturally diverse society, including issues of group counseling leadership, stages, skills, methods, and ethics issues.~~

~~(B) Life style and career development - course that provides an understanding of career development and related life factors, as well as an overview of career development theories, program planning, educational planning, assessment techniques, and applied career counseling processes, including those applicable to specific populations in a global economy.~~

~~(C) Social and cultural foundations - course that provides an understanding of the cultural context of relationships, issues, and trends in a culturally diverse society, including an overview of social and cultural theories, strategies, and roles to be applied by the pluralistic counselor to establish an environment for optimal client wellness and successful counseling outcomes.~~

~~(D) Personality theories - course that examines contemporary and alternative personality theories that provide the student with models to conceptualize client presentation and that help the student select appropriate counseling interventions, including an examination of models of counseling that are consistent with current professional research and practice in the field of counseling.~~

~~(E) Crisis intervention - course that provides an overview of crisis and disaster intervention strategies for the professional counselor that addresses areas including, but not limited to, crises of suicide, homicide, disability due to a mental illness, domestic violence, school violence, post-traumatic stress disorder, and vicarious trauma.~~

~~(F) Marriage/family counseling - course that provides an overview of the knowledge, skills, and practices necessary to address a wide variety of issues in the context of relationships and families, including historical, theoretical, and developmental issues in systems counseling, in addition to examining the basic skills of marriage, couple, and family counseling.~~

~~(G) Addictions counseling - course that provides an overview of assessment and treatment methods available for clients and their family members struggling with~~

substance-related disorders or behavioral/process addiction issues.

(~~H~~E) Rehabilitation counseling - course that provides an overview of the history, philosophy, and legal basis of rehabilitation programs, the roles of the rehabilitation counselor, and the process of rehabilitation, including the organizational structure of public and private rehabilitation systems, societal trends in rehabilitation, and professional issues related to the role of the rehabilitation counselor.

(~~F~~E) Gerontology - course that provides a conceptual system for understanding the phenomenon of aging and the counselor's role in working with an aging client population, including practical counseling skills necessary for meeting the demands of coping with aging in a culturally diverse society.

(~~G~~G) Human sexuality - course that focuses on sexual development and educational issues as applied to the field of professional counseling with emphases placed upon becoming comfortable with one's own sexuality, assisting parents with providing sexual education to their children, providing education with regard to sexual matters, and diagnosing and treating sexual dysfunction.

(~~H~~H) Counseling with children/adolescents - course that provides instruction in the theories and techniques used in counseling children and adolescents, including instruction on the conceptualization of childhood and adolescent problems with an emphasis on age- and developmentally-appropriate interventions.

(~~I~~I) Clinical supervision - course that serves as a didactic and experiential learning experience for counselors who wish to assume the role of clinical supervisor, including the assimilation and application of major theoretical/conceptual models and approaches to clinical supervision in a variety of settings.

(~~J~~J) Psychopharmacology - course that provides an overview of commonly prescribed psychotropic medications for psychiatric disorders to assist the counselor in understanding his or her role in working with medical professionals in the concurrent treatment of mental health issues using an interdisciplinary approach.

(~~K~~K) Consultation - course that provides the knowledge and skills necessary for the delivery of counselor consultation, including basic models of consultation, the content and procedural process for implementing consultation, and characteristics of an effective consultant-consultee relationship.

(~~L~~L) Physical and Emotional Health - course that deals with the overlap of physiological and psychological

health models, examining the neural and hormonal bases of learning, memory, motivation, emotions, mental disorders, and other behaviors.

(PM) Grief counseling - course that addresses the mental health, social, and cultural manifestations of grief counseling, including, interventions and the coverage of characteristics of grief throughout the life cycle.

~~(Q) Specialty areas when established.~~

~~(b) Remaining courses. The remaining courses needed to meet the sixty (60) semester or ninety (90) quarter graduate-hour requirement shall be in any of the knowledge areas listed in 86:10-9-2(a) and may be in increments of one (1), two (2) or three (3) graduate semester hour courses or one (1), two (2), three (3) or four (4) graduate quarter hour courses.~~

SUBCHAPTER 11. SUPERVISED EXPERIENCE REQUIREMENT

86:10-11-3. Acceptability of supervised experience

(a) Supervised experience is acceptable when it consists of the performance of counseling activities as described in Section 1902, of the Act under supervision as described below.

(1) Supervision shall focus on the raw data from a supervisee's continuing clinical practice, which may be available to the supervisor through a combination of direct observation, co-therapy, written clinical notes, and audio and video recordings.

(2) Supervision is a process clearly distinguishable from personal psychotherapy, and is contracted in order to serve professional/vocational goals.

(3) Individual supervision consists of face-to-face contact with one supervisor and one supervisee.

(4) Group supervision may be conducted with two (2) to six (6) supervisees and a supervisor.

~~(5) Technology-assisted supervision must be approved by the Board prior to the accrual of hours. Factors to be considered by the Board include: distance between approved supervisor and candidate; financial hardship on approved supervisor or candidate; physical hardship on approved supervisor or candidate; specialty credentials; and other pertinent factors.~~

~~(b) Supervised experience begins after all applicable academic requirements, as stated in LPC Regulations, Subchapter 9, have been completed.~~

(eb) An LPC Candidate may accrue supervised experience hours in academic, governmental or private-not-for-profit and private for-profit settings.

(ec) Supervised experienced hours shall be accrued in a private for-profit or not-for-profit counseling practice setting, only if:

(1) The LPC Candidate is an employee, as defined by 86:10-1-2, of the place of employment where supervised experience hours

~~are being accrued same facility as a person licensed in the state of Oklahoma as a Licensed Professional Counselor, a Licensed Marital and Family Therapist, a Licensed Behavioral Practitioner, a Psychologist, a Psychiatrist, a Clinical Social Worker, or a Licensed Alcohol and Drug Counselor, whose assigned job duties include being immediately available to the LPC Candidate for supervision at any time the LPC Candidate is engaging in the practice of counseling or counseling-related services.~~

(2) The LPC Candidate is receiving supervision for licensure from an approved LPC supervisor ~~who is not required to work at the same location as the LPC Candidate~~ that has agreed to be immediately available to the LPC Candidate for supervision at any time the LPC Candidate is engaging in the practice of counseling or counseling-related services.

86:10-11-4. Supervisor qualifications

(a) In order to be approved as a supervisor for counselors seeking LPC licensure, an individual must:

(1) be an Approved Clinical Supervisor (ACS) by the National Board for Certified Counselors familiar with Oklahoma LPC Act and Rules duly promulgated, or

(2) be a Licensed Professional Counselor who has practiced in positions relevant to those the LPC proposes to supervise for two (2) years beyond the date of issue of the Oklahoma license.

(A) an LPC who has successfully completed a graduate course in counselor supervision of at least forty-five (45) contact hours or equivalent course of study acceptable to the Board. This equivalent course of study shall consist of workshops in counseling supervision in combination with directed study of counseling supervision literature. Fifteen (15) of the forty-five (45) contact hours shall be in a class or workshop format which includes four (4) supervisors-in-training; the other thirty (30) contact hours shall be reserved for directed study, and

(B) an LPC who has passed the Oklahoma Legal and Ethical Responsibilities Examination.

~~(3) An agreement to be "on call" to the supervisee on a twenty-four (24) hour basis and to arrange for an alternate supervisor if not available.~~

~~(4) After receipt of the LPC supervision agreement, LPC supervisor may be approved by the Board.~~

(5) Approved LPC Supervisors are required to complete a minimum of three (3) clock hours of continuing education in counseling supervision each renewal period.

(64) Approved Supervisor designation will not be renewed until the continuing education requirement is met for each missed renewal period.

(75) If continuing education requirement is not met within five (5) years of expiration, approved supervisor status will be permanently expired and the LPC must re-apply and meet all requirements in this Subchapter, including the re-taking of 86:10-11-4(2) (A) or (B) to become an approved supervisor.

(86) An active approved supervisor may request inactive status by submitting a request in writing to the Board. An inactive approved supervisor shall not provide any activities described in Subchapter 11 of this Chapter.

(97) An inactive approved supervisor may reactivate by submitting the required counseling supervision continuing education due by the end of the current renewal period.

(108) An active approved supervisor status may be retired by informing the Board in writing. A retired approved supervisor status shall not be reinstated but does not prevent a person from applying for approved supervisor status at a future date.

(119) No re-application for a revoked approved supervisor status, as a result of administrative proceeding, shall be considered for a period of five (5) years following the revocation.

(b) Effective October 1, 2015, a supervisor may not supervise more than a total of twelve (12) candidates for licensure at a time. A supervisor who wants to supervise more than twelve (12) candidates must petition the Board for approval for each person above the maximum number. The petitions will be determined on a case-by-case basis depending on the circumstances of the request.

86:10-11-5. Duration of supervision

(a) Three (3) years or three-thousand (3000) clock hours of full time, on-the-job experience, which is supervised by an approved LPC supervisor, shall be completed. Included in the three-thousand (3000) clock hours of full time, on-the-job experience, a minimum of one-thousand (1000) hours shall be from direct client contact and one-hundred (100) hours shall be from face-to-face or technology-assisted supervision.

(b) "Full time" means at least five (5) hours per week.

(c) Weekly, face-to-face supervision or technology-assisted supervision shall be accrued under a Board approved LPC supervisor at a minimum of forty-five (45) minutes of supervision every week.

(d) "Group supervision" means an assemblage of counseling supervisees consisting of two (2) to six (6) members.

(e) One (1) or two (2) years of supervised experience may be gained at the rate of one (1) year for each thirty (30) graduate semester credit hours or forty-five (45) graduate quarter credit hours in counseling-related course work earned beyond the master's degree,

provided that such hours are clearly related to the field of counseling and are acceptable to the Board.

(f) Regardless of the number of hours earned beyond the master's degree, the LPC supervisee shall receive at least one (1) year or one-thousand (1000) clock hours of supervision as described in subchapter 11, section 86:10-11-5(a-d).

(g) If an applicant completes the supervised experience requirement, the applicant shall continue to practice under LPC supervision as described in this subchapter, unless exempted by the Act, until licensed.

(h) Applicants shall complete supervised experience requirements within sixty (60) months of the date of the approval of the first supervision agreement or the application shall be voided.

~~(i) Approved supervisors shall perform at least two (2) observations (live or tape) per each six (6) month evaluation period for each supervisee.~~

~~(j) Approved supervisors shall consult with on-site supervisor at least once during each six (6) month evaluation period for each supervisee.~~

86:10-11-6. Documentation of supervised experience

(a) The supervisor and supervisee shall sign and submit the "Evaluation of Supervised Experience," ~~including documentation of observations and date of consultation between approved supervisor and on-site supervisor,~~ semi-annually beginning as of the date of the approval of the first supervision agreement.

(b) Evaluation of Supervised Experience document shall include the following:

- (1) Identifying information;
- (2) Time, place and duration of supervised experience;
- (3) Percentage of time spent in different counseling activities;
- (4) Supervisor's rating of professional activity;
- (5) Supervisor's comment section; and
- (6) Record of supervised experience.

(c) Any Evaluation of Supervised Experience form submitted beyond 60 days of the semi-annual due date will not be credited towards the duration of supervision as described in 86:10-11-5.

(d) Supervised experience shall be reported in quarter credit hours.

SUBCHAPTER 15. LICENSURE EXAMINATIONS

86:10-15-2. Examinations required

Each applicant shall take two examinations:

- (1) The National Counselor Examination (NCE) ~~for Certification and Licensure~~ or another equivalent examination as determined by the Board; and

(2) The Oklahoma Legal and Ethical Responsibilities Examination (OLERE).

86:10-15-4. Application

(a) The Board shall ~~mail~~send notification of eligibility to sit for examinations to the ~~last known address of applicant~~.

(b) Upon receiving test eligibility ~~letter~~notification from the Board, applicant shall submit examination registration materials and fees to the Board's designee.

~~(c) An applicant's eligibility to sit for the Oklahoma Legal and Ethical Responsibilities Examination shall be valid once the application has been Board approved.~~

~~(c)~~ An applicant's eligibility to sit for the ~~National Counselor Examination for Certification~~NCE or another equivalent examination as determined by the Board and the OLERE shall be valid once the application has been deemed Board approved. The applicant's eligibility ~~may~~will be valid for two years, at which time if they have not successfully passed the exam(s), their licensure application shall be voided and the applicant shall be ~~mailed~~sent notification at ~~last known address~~.

~~(ed)~~ An applicant who fails the NCE or another equivalent examination as determined by the Board or the OLERE ~~exam~~, may schedule additional examinations, within the two-year eligibility period, with the submission of subsequent exam registration materials and fees. ~~The subsequent exam can be scheduled no sooner than 90 days after the prior exam.~~

86:10-15-8. Failure to apply

The application of a person who fails to apply for, sit for, and successfully pass the ~~National Counselor Examination~~NCE or another equivalent examination as determined by the Board or the OLERE, within the two-year eligibility period, after the applicant has been ~~mailed~~sent notification at ~~last known address in writing of his/her eligibility for examination, shall be voided and the applicant shall be mailed~~sent notification at ~~last known address~~.