

MIAMI-DADE CHAPTER  
Florida Association for Marriage and Family Therapy



Date: April 12, 2011

Subject: Rule 64B4-9.002

My Dear Colleagues:

Program Trainers and FAMFT Board members have been requested by our Executive Director Dr. Larry Barlow, PhD, LMFT that we provide input to the 491 Board on **Rule 64B4-9.002** (Psychotherapy Record Keeping). What rule do we want for LMFTs (and other 491 disciplines) to follow regarding documentation? Please send me any responses that you may deem appropriate with respect to **Rule 64B4-9.002**. The 491 Board will take this issue up April 28-29 in Tampa. If time permits, we could address this topic at our Chapter meeting on Friday, April 15, 2011.

The Board of CSW, MFT, and MHC discussed this rule at their January 2011 meeting pursuant to the request from a probable cause panel. The panel asked the board to determine if this rule meets standards of documentation. Please see the excerpt from the meeting minutes below:

A Probable Cause Panel asked the board to review the rule about psychotherapy records to determine if it meets the board's standards of documentation. Dr. Larry Barlow, Executive Director of the Florida Association of Marriage and Family Therapists and Jim Akin, Executive Director of the Florida Chapter of the National Association of Social Workers, and Dr. Alicia Homrich counseling professor at Rollins College spoke to the issue. The board asked the three professional associations in Florida to research this, and provide information to the board prior to their meeting in April. The board also asked the prosecuting attorney to provide input.

**Rule 64B4-9.002 Definitions**

Psychotherapy records are chronicles of a dynamic psychotherapeutic relationship and are to be accorded the dignity and respect due such a relationship. Psychotherapy is for the client and all records constructed shall respect the integrity and privacy of that relationship.

- (1) A psychotherapy report is a summary of information derived from the psychotherapy records which addresses a specific request as authorized by the client.

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(2) A psychotherapy record shall contain basic information about the client including name, address and telephone number, dates of therapy sessions, treatment plan and results achieved, diagnosis if applicable, and financial transactions between therapist and client including fees assessed and collected. A record shall also include notes or documentation of the client's consent to all aspects of treatment, copies of all client authorizations for release of information, any legal forms pertaining to the client, and documentation of any contact the therapist has with other professionals regarding the client.

(3) Regardless of who pays for the services of the psychotherapist, a client is that individual who, by virtue of private consultation with the psychotherapist, has reason to expect that the individual's communication with the psychotherapist during that private consultation will remain confidential.

Respectfully,



Michael J. Alicea, MS, MSW, (Ed.D Candidate)  
President  
Miami-Dade Chapter – FAMFT  
Associate/Student Board Member – FAMFT

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*Specific Authority 491.004(5), 491.0148 FS. Law Implemented 491.009(2)(s), 491.0148 FS.  
History–New 12-11-91, Formerly 21CC-9.002, 61F4-9.002, 59P-9.002, Amended 2-11-98.*

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