

# Board of Licensed Professional Counselors, Licensed Marital and Family Therapists and Licensed Clinical Pastoral Therapists

## Policy on the Use of AI in Clinical Practice

This policy provides guidance on the responsible use of Artificial Intelligence (AI) tools in clinical practice for licensees under the jurisdiction of the Board of Licensed Professional Counselors, Licensed Marital and Family Therapists and Licensed Clinical Pastoral Therapists, (hereinafter “Board”). AI tools may augment or assist clinical practice but do not replace the professional judgment and accountability of the licensee. The same ethical, legal, and professional standards that govern clinical practice apply when AI tools are used in client care.

### 1. Accountability for Clinical Care

Licensees are fully accountable for the care they provide, regardless of the tools or technology they use. The use of AI, whether in diagnostics, treatment recommendations, or administrative functions, does not absolve the licensee of responsibility for their professional judgment and decisions. Licensees must ensure that AI tools align with their scope of practice and that clinical decisions are always made based on their expertise and the best interests of their clients.

### 2. Evaluation and Selection of AI Tools

Licensees are expected to evaluate any AI tools they intend to use, ensuring that:

- The tool is ethically and responsibly developed, with a focus on reducing bias and improving the standard of care.
- The tool aligns with the clinical needs of the practice, providing tangible benefits to client outcomes.
- The tool has undergone appropriate validation, including clinical studies, technical audits, and cultural relevance assessments.

### 3. Informed Consent for the Use of AI

Informed consent forms must include the following considerations when AI tools are involved in client care:

- Information Sharing: Clients must be informed if any third-party information sharing occurs, including data shared with AI providers, technology companies, or other outsourced services (e.g., billing, answering services).
- Risks and Benefits: The client must be informed of the potential risks and benefits of AI tools being used in their care, including any known or potential limitations of the tool.
- Opt-Out Option: Clients should be given the option to opt out of using AI tools in their care, even if that results in seeking care elsewhere. This ensures client autonomy and respect for their privacy preferences.
- Outsourced Services: If any services, including AI-assisted services, are outsourced (e.g., telemedicine consultations, administrative tasks), clients must be made aware of this arrangement.

#### **4. Feedback and Improvement of AI Tools**

Licensees should actively participate in the continuous improvement of AI tools by providing feedback to developers. Feedback should be based on real-world clinical experiences and may address:

- Clinical Relevance: Whether the AI tool accurately supports clinical decisions and treatment planning.
- Cultural Relevance: Whether the tool accommodates the cultural, social, and psychological needs of diverse client populations.

#### **5. Scope of Practice Limitations**

Licensees must ensure that any AI tools used in clinical practice do not extend beyond their scope of practice. AI tools that provide services outside the licensee's legal and professional competencies are prohibited. For example, AI tools offering medical diagnoses or treatment recommendations that require a medical license should not be used by non-medical professionals.

#### **6. Confidentiality and Security of Client Data**

Licensees must take steps to secure client privacy and confidentiality, particularly when non-practice-related technologies (e.g., smart speakers, mobile phones) are present in the clinical environment. All devices should be turned off or secured during client sessions to prevent inadvertent data collection or breaches of confidentiality.

#### **7. Human Relationship Focus**

AI tools should always be viewed as adjuncts to, rather than replacements for, the therapeutic relationship between licensee and client.

- Therapeutic Alliance: The relationship between the counselor and the client is critical for effective therapy.
- AI should never interfere with the ability to build rapport or foster meaningful interactions with clients.

### **Training and Qualifications for AI in Clinical Practice**

Licensees using AI tools are required to maintain up-to-date training and certifications in relevant laws and ethical standards. This includes but is not limited to:

#### **1. Federal Laws and Regulations:**

- Health Insurance Portability and Accountability Act (HIPAA)
- Family Educational Rights and Privacy Act (FERPA)
- 42 CFR Part 2 (Confidentiality of Substance Use Disorder Client Records)

#### **2. State Laws and Regulations**

- State-specific professional licensing laws (e.g., Tennessee Code Annotated, Title 63, Chapter 22) governing counselors, marital and family therapists, and clinical pastoral therapists.

- TN Department of Health Board for Licensed Professional Counselors, Licensed Marital and Family Therapists and Licensed Clinical Pastoral Therapists.

### 3. Professional Association Guidelines & Ethical Codes

- ACA 2014 Code of Ethics
- ACA Recommendations for Practicing Counselors and Their Use of AI
- AAMFT 2015 Code of Ethics

### 4. Emerging Technologies Training

Licensees should participate in relevant continuing education programs focused on the safe and effective integration of AI in clinical practice.

- Any AI-related training must include best practices for using AI to support client care while upholding confidentiality, ethical principles, and legal requirements.

## Responding to Errors, Adverse Outcomes, and Complaints

The Board shall handle errors, adverse outcomes, and complaints related to the use of AI in the same manner as any other clinical error or complaint. Licensees may be subject to investigation, and appropriate disciplinary actions may be taken if it is found that the use of AI tools contributed to the failure to meet professional standards, violated legal or ethical obligations, or led to harm to the client.

Licensees must recognize the importance of AI tools in augmenting clinical practice while maintaining ultimate responsibility for client care. The use of AI must be approached with ethical rigor, cultural sensitivity, and a commitment to improving client outcomes. Licensees should remain informed about the evolving landscape of AI in healthcare and participate in ongoing education and feedback loops to ensure safe, effective, and equitable care for all clients.

Approved by the Board of Licensed Professional Counselors, Marital and Family Therapists, and Clinical Pastoral Therapists the 22<sup>nd</sup> day of September, 2025.

*Kimberly D. Speakman*  
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