

**ADMINISTRATIVE GUIDELINES**  
**STATE LICENSED COUNSELING SERVICES & ASSISTED LIVING HOMES**  
**Procedure 408**

*69.05.040(8) Sales of:*

*(a) Counseling services by a psychologist or psychological associate, a clinical social worker, an alcohol and drug counselor, or a marital and family therapist, licensed or certified as such by the state;*

*(b) Assisted living services provided in accordance with an assisted living plan and in an assisted living home licensed as such by the state.*

Counseling services are exempt from the retail sales tax when performed by the following state licensed or certified individuals:

1. Psychologists or psychological associate; or
2. Social Worker,
3. Alcohol and drug counselors, or
4. Marital and family therapist

Services performed by the professionals listed above that are outside the capacity of their license or certification is subject to tax. That is, educational services, speaking engagements, the retail sales of literature or health supplements or appliances are taxable and the seller must collect the sales tax.

For example: A psychologist who also offers seminars on stress reduction must collect tax on the tuition paid for such a class. A social worker who publishes a book and offers it for sale at a charge separate from the charge for counseling services must collect the tax on the sale of the book.

Taxable sales to counseling professionals include, but are not limited to:

1. All equipment, tools, machinery, and replacement parts for same, installation charges and repair service.
2. Computer hardware, software, and printing equipment.
3. Office furniture, promotional materials, books, magazines, calendars, etc.
4. Commercial rentals of office space.
5. Administrative costs such as legal fees, accounting services, phone charges, advertising, medical transcriptionist services, etc.
6. Janitorial supplies and service.

The fee for assisted living services by a state licensed and certified Assisted Living Home is exempt from the sales tax. Purchases by an Assisted Living Home are subject to the sales tax.