

Introduced by

Legislative Management

(Health Services Committee)

1 A BILL for an Act to amend and reenact subsection 4 of section 43-41-04, sections 43-45-05.1
2 and 43-47-06, and subsection 7 of section 43-53-01 of the North Dakota Century Code, relating
3 to licensure requirements for behavioral health professionals; and to provide for a report to the
4 legislative management.

5 **BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:**

6 **SECTION 1. AMENDMENT.** Subsection 4 of section 43-41-04 of the North Dakota Century
7 Code is amended and reenacted as follows:

- 8 4. The board shall issue a license as a licensed independent clinical social worker to an
9 applicant who:
- 10 a. Has a doctorate or master's degree in social work from a college or university.
 - 11 b. ~~Has passed~~Passed an examination approved by the board for this purpose.
 - 12 c. ~~Has satisfied~~Satisfied the board that within a four-year period the applicant ~~has~~
13 successfully completed three thousand hours of supervised post-master's clinical
14 social work experience. At least one thousand five hundred of the required hours
15 must have been under the supervision of a licensed independent clinical social
16 worker; or, if, Additional hours of supervision may have been under other
17 professionals designated by a supervising licensed independent clinical social
18 worker. However, if an applicant began ~~that~~ supervised post-master's clinical
19 social work experience before August 1, 2009, a licensed certified social worker
20 who has two years of experience, a licensed psychologist with a doctorate
21 degree, or a licensed psychiatrist may have supervised the required hours.
 - 22 d. ~~Has satisfied~~Satisfied the board ~~that~~ the applicant agrees to adhere to the code
23 of social work ethics adopted by the board.

1 **SECTION 2. AMENDMENT.** Section 43-45-05.1 of the North Dakota Century Code is
2 amended and reenacted as follows:

3 **43-45-05.1. Initial licenses.**

4 1. The board shall issue an initial license as an addiction counselor to an applicant who
5 has met all of the following requirements:

6 a. ~~Has successfully~~Successfully completed ~~board-approved~~ coursework, ~~approved~~
7 ~~by the board~~, at an accredited college or university.

8 b. ~~Has successfully~~Successfully completed one or more oral or written
9 examinations approved by the board for this purpose.

10 c. ~~Has successfully~~Successfully completed a clinical training program approved by
11 the board or accumulated experience as established by the board by rule.

12 d. ~~Has satisfied~~Satisfied the board that the applicant agrees to adhere to the code
13 of professional conduct adopted by the board.

14 2. For clinical training program or accumulated experience required for initial licensure, at
15 least fifty percent of required supervision must be provided by a supervising licensed
16 addiction counselor and the additional supervision may be with other professionals
17 designated by the supervising addiction counselor and competent in the area of
18 practice being supervised.

19 3. The board may grant reciprocity, on such terms and conditions as it may determine
20 necessary, to an applicant for licensure who is in good standing as a licensed,
21 approved, or certified addiction counselor under the laws of another jurisdiction that
22 imposes at least substantially the same requirements that are imposed under this
23 chapter.

24 3.4. ~~An applicant who is denied~~If the board denies a licensure must be notifiedapplication,
25 the board shall notify the applicant in writing of the reasons for denial and of the
26 applicant's right to a hearing before the board, under chapter 28-32, if a hearing is
27 requested within thirty days.

28 **SECTION 3. AMENDMENT.** Section 43-47-06 of the North Dakota Century Code is
29 amended and reenacted as follows:

1 **43-47-06. Licenses - Qualifications - Reciprocity.**

- 2 1. Except as otherwise provided in this chapter, ~~no~~a person may not engage in
3 counseling in this state unless that person is a licensed professional counselor or
4 licensed associate professional counselor.
- 5 2. The board shall issue a license as a licensed professional counselor to each applicant
6 who files an application upon a form and in a manner the board prescribes,
7 accompanied by the required fee, and who furnishes evidence to the board that the
8 applicant:
- 9 a. Has ~~received~~ a master's degree from an accredited school or college in
10 counseling or other program that meets the academic and training standards
11 adopted by the board;
- 12 b. ~~Has provided~~Provided personal and professional recommendations that meet the
13 requirements adopted by the board and ~~has~~ satisfied the board that the applicant
14 will adhere to the highest standards of the profession of counseling;
- 15 c. Has two years of supervised experience, at least fifty percent of which must have
16 been under a licensed professional counselor, or its equivalent as determined by
17 the board, and the additional supervised experience may have been with other
18 professionals designated by the supervising licensed professional counselor,
19 which are competent in the area of practice being supervised;
- 20 d. ~~Has provided~~Provided a statement of professional intent to practice in this state
21 describing the applicant's proposed use of the license, the intended client
22 population, and the counseling procedures, as defined by the board, the
23 applicant intends to use in serving the client population; and
- 24 e. Has demonstrated knowledge in the field of counseling by successful completion
25 of an examination prescribed by the board.
- 26 3. The board shall issue a license as a licensed associate professional counselor to each
27 applicant who files an application upon a form and in a manner the board prescribes,
28 accompanied by the required fee, and who furnishes sufficient evidence to the board
29 that the applicant:

- 1 a. Has received a master's degree from an accredited school or college in
2 counseling or other program that meets the academic and training standards
3 adopted by the board;
- 4 b. ~~Has provided~~Provided personal and professional recommendations that meet the
5 requirements adopted by the board and ~~has~~ satisfied the board that the applicant
6 will adhere to the standards of the profession of counseling; and
- 7 c. ~~Has provided~~Provided a written plan for supervised experience which meets the
8 requirements adopted by the board.
- 9 4. The board may waive the formal examination requirements for a professional
10 counselor license ~~when~~if the applicant has been licensed or certified to practice
11 counseling in another state under standards and qualifications similar to or greater
12 than those set by the board.
- 13 5. A professional counselor shall renew the license every two years. The board shall
14 renew a license upon payment of a fee set by the board and upon demonstration by
15 the licenseholder of completion of continuing education requirements set by the board.
- 16 6. An associate professional counselor initially licensed under this chapter may be
17 licensed for no more than two years. The associate professional counselor's license
18 may not be extended beyond two years ~~only~~, except upon recommendation of the
19 associate professional counselor's supervisor and three other counselors, at least one
20 of whom must be a professor from the associate professional counselor's training
21 program.

22 **SECTION 4. AMENDMENT.** Subsection 7 of section 43-53-01 of the North Dakota Century
23 Code is amended and reenacted as follows:

- 24 7. "Qualified supervision" means the supervision of clinical services, in accordance with
25 standards established by the board, by an individual who has been recognized by the
26 board as an approved supervisor. At least fifty percent of the hours of qualified
27 supervision must be with an approved supervisor who is a licensed marriage and
28 family therapist and additional hours of qualified supervision may be with other
29 professionals designated by the approved supervisor and competent in the area of
30 practice being supervised.

1 **SECTION 5. BEHAVIORAL HEALTH PROFESSIONAL BOARDS - REPORT TO**
2 **LEGISLATIVE MANAGEMENT.** During the 2017-18 interim, the North Dakota board of social
3 work examiners, board of addiction counseling examiners, board of counselor examiners, and
4 North Dakota marriage and family therapy licensure board shall report to the legislative
5 management on the status of implementation of supervision and training requirements provided
6 in this Act.