

2017 SENATE HUMAN SERVICES

SB 2033

2017 SENATE STANDING COMMITTEE MINUTES

Human Services Committee
Red River Room, State Capitol

SB 2033
1/10/2017
Job # 26732

☐ Subcommittee
☐ Conference Committee

Committee Clerk Signature

Emmery Proberg

Explanation or reason for introduction of bill/resolution:

A bill relating to licensure requirements for behavioral health professionals; and to provide for a report to the legislative management.

Minutes:

Attachments: #1 - 5

Senator Lee opened the hearing on SB 2033.

Sheila Sandess, Legislative Council: Introduced SB 2033 (See Attachment #1).

(2:55) **Senator Heckaman:** We changed the administrative rules requirement for the number of hours of supervision for addiction counselors. Are the rules in century code or administrative rules?

Sheila Sandess: These particular ones are in the century code.

Dr. Lisa Peterson, ND Department of Corrects and Rehabilitation: Testified in favor of SB 2033 (See Attachment #5).

(6:50) **Senator Piepkorn** asked if it was too expensive to hire an under qualified counselor.

Dr. Lisa Peterson: This bill would allow us to cut that in half. We employ a LPCC (Licensed Professional Clinical Counselor), but there are issues with that as well because the job classifications classify that person as a peer to those they supervise. This bill would allow them to supervise in their area of education and training. We wouldn't be able to remove all of that cost, but we would be able to eliminate half.

Senator Piepkorn: This would be advantageous for you because this person can do work under supervision while earning credit towards their education.

Senator Lee: In the past, people could only be supervised by persons in their own profession. Yet there are higher-level education professionals who also receive training in the same area. This bill expands the language to say anyone who has advanced professional training in a parallel career can supervise someone learning in another career.

Senator Kreun: Are the same number of hours required?

Dr. Lisa Peterson deferred the question to the boards of the professions.

Senator Lee: mentioned Representative Fehr had given some insight as a psychologist.

Julijana Nevland, Chair of the Graduate Counseling Program, University of Mary: Testified in support of SB 2033. I have graduated a number of students who are clinical counselors who are having difficulty finding supervision and as a result, are forced to pay for the supervision. They have the same or further training as an LPPC but are not able to receive training free of charge. This is also impacting the work force because certain agencies may be losing good employees who are not willing to take a position if they cannot receive free supervision.

(12:00) **Megan Houn, Blue Cross Blue Shield ND:** Testified in favor of SB 2033. It expands the training potential of new staff in the specialty by adding supervision. Our only concern is that the supervisor be a licensed independent practitioner.

(14:30) **Pastor Larry Giese, ND Marriage & Family Therapy Licensure Board:** Submitted testimony in opposition from Sally Tobin, Marriage and Family Therapist (See Attachment #3).

Pastor Larry Giese: Testified in Opposition to SB 2033 (See Attachment #2).

(19:00) **Senator Lee:** This is not intended to dilute the requirements of your board or your credentialing. This bill does not mean you are obligated to accept someone who you believe is unqualified but it enables your board to utilize someone who does similar work to be a supervisor. Your field is unique compared to some of the counselors who work in a diagnostic situation rather than a relationship situation.

One of our challenges with these boards is that some of them have required supervision to be done in ND but there are not enough spaces for the trainees. We want to enable those who have similar training to be able to supervise someone similar.

(22:30) **Pastor Larry Giese:** To clarify, who would do the supervision?

Senator Lee: It would have to be someone with the same training.

Pastor Larry Giese: So the bill is making it permissible but not mandatory?

Senator Lee: I believe that's true—we will check the language. If we ensure the language protects your choice of the supervisor's credentials, would you be comfortable with the bill?

Pastor Larry Giese: I believe that would be acceptable to the board.

(25:20) **Senator Anderson** commented on similar changes they made in pharmacist training requirements.

Senator Lee: In response to Miss Tobin's comments (See Attachment #3): She says we are taking authority away from the board but the board's responsibility lies with the legislature. We are not trying to dilute their authority and we will ensure that is the case.

(27:20) **Heidi Nieuwsma, Chair of the ND Board of Social Examiners:** Testified in Opposition to SB 2033. The board has the same goal as the bill to assist social workers to attain clinical license but we differ with the method. There is not there is a shortage of clinical social workers; rather our laws are different from other states which affect license mobility which can hinder the licensing process of social workers entering ND. Our response to this need was to move our licensing standards toward national standards which will assist the process of reciprocity. If this bill is passed as written, it will move ND further away from those standards which would decrease the mobility of the clinical social worker. If this bill moves forward, it will hinder the work we are trying to do in the bill we have submitted.

Senator Lee: Did you participate in a group that included all of the boards during the interim?

Heidi Nieuwsma: We did; but with the social work we came to a different conclusion.

Senator Lee directed Miss Nieuwsma to provide an amendment that would make the bill compliant with the Board's concerns.

(31:30) **Marge Ellefson, Executive Secretary for ND Board of Counselor Examiners:** Testified in Opposition to SB (See Attachment #4).

(41:30) **Senator Lee:** The boards were supposed to be meeting regularly during the interim committee to ensure this would be satisfactory to all the boards. We were trying to remove barriers for reciprocity and higher education. Speak with your board and provide the committee with amendments. The committee is going to pursue enabling some cross training while protecting expertise and the boards need to find a way to reach a consensus. We are trying to find an opportunity for collaborative work in providing clinical experiences because we hear about the shortage of convenient and affordable clinical experiences.

Committee Discussion: Judy Lee and Marge Ellefson continued to discuss concerns with the actions of the interim committee and SB 2033.

Senator Lee directed the boards to provide the committee with their amendments by January 17th.

Senator Lee closed the hearing on SB 2033.

2017 SENATE STANDING COMMITTEE MINUTES

Human Services Committee
Red River Room, State Capitol

SB 2033
1/18/2017
Job Number 27078

☐ Subcommittee
☐ Conference Committee

Committee Clerk Signature



Explanation or reason for introduction of bill/resolution:

A bill relating to licensure requirements for behavioral health professionals; and to provide for a report to the legislative management.

Minutes:

1 Attachment

Chair J. Lee: Opened SB 2033 for committee discussion. (The committee discussed some testimony that they were looking for and what information they were still waiting on.)

(7:10) V-Chair Larsen: While we are waiting, I something else I would like to discuss. It states in the bill that we are going to have these people be licensed, and the qualifications to be licensed are that you have to be at an accredited university. My wife, being that this is her area of expertise, asked about her and what if she didn't go to an accredited university? She wants to make sure that the person that is teaching these folks that are going to be licensed – that the teachers have come from an accredited place. We know people that are psychologists but they are not through an accredited program so then they cannot take insurance but they are still a psychologist. If they are in an industry, Indian Health Services, that would take that uncredited person and giving them supervised hours, maybe there is a hiccup there. I thought I should address that to the group. on page 1, lines 16-23, I think somewhere in there is where we need to say that the instructor's (the LICSW) credentials have to be accredited.

Chair J. Lee: That doesn't mean that there are not some online classes that would apply to an accredited program. We don't want to blow away every online program. That makes sense to me.

Senator Anderson: Don't you think the requirement, the professional designated by a supervising licensed independent clinical social worker, covers that? That individual who is licensed by this board gets to decide if that other person is eligible to take their interns.

V-Chair Larsen: Is there clarity on what the accreditation is? I know a psychologist who works for the Indian Health Services that is not accredited. They did not get the accreditation. They can collect insurances and billing and can be a director through Indian Health Services but I don't believe that person should be able to teach these folks.

Senator Anderson: On page 2, it talks about the addiction counselors where we just moved that language over, and there it says that supervision must be provided by a supervising licensed addiction counselor. That is designated by their board. The additional supervision may be with other professionals designated by the supervising addiction counselor. I would think each board would have control over that by their designating who the licensed supervisor is and that person has to say they need to go get their internship. I think there is control but maybe it's too loose, I don't know. I think we have to give the ability to the boards to take care of this. All we have done is say they can go outside not. Now they say the licensees have to approve the other guys.

Chair J. Lee: It wouldn't hurt for us to have a little contact with boards that are covered here. What would you think about sending out an e mail message to the executive directors of those boards explain what Senator Larson is bringing up and then we could ask them if they would follow up with the additional language assuring it would be graduates of an accredited college or do they think that what they have is enough already. Would it be a courteous and short term thing to ask them what they want to do.

Senator Piepkorn: I agree with what Senator Anderson said. It seems like it's in there, but if you feel like you need more clarification then that would be fine.

Chair J. Lee: I'm not taking a stance. I am throwing out an option.

Senator Clemens: We're at this point, one more day to find out this info and get it taken care of could not hurt.

Chair J. Lee: They are already feeling like we're inflicting something on them. Let's ask them for their input on this one so they don't feel like we are doing something to them but rather doing something with them. I want them to view it collaboratively. (Discussed sending e mail to the boards with Ian.)

(16:55) Senator Anderson: If we take section 2 out, which applies to the licensed addiction counselors, then when you look on the last page there's a report required from each of the boards, and the report language says training and requirements provided in this act. I am thinking that "this act" is SB 2033, correct? So if we take the language out about licensed addiction counselors then do we need to take them out of section 5? or change the language of the report?

Chair J. Lee: We talked just briefly, the title is, licensure requirements for behavioral health professionals, lac's are behavioral health professional also. If we take it out because it is someplace else, then they are not in here. It does not mean they are not a professional but it does mean that someone has to look two places in order to find the information. So do we want to have identical language in the one we already sent out and in this one.

Senator Anderson: This section of statute references their licensing provision. The actual language will be in their licensing statute. The only difference would be if you look for section laws you might find a different place.

Chair J. Lee: We still will want them in the report wouldn't we? Do we really want to take it out of there?

Committee Discussion: The committee continued to discuss if it would be best to take the section out and move it. It was decided to let Ian figure that out.

(20:40) Chair J. Lee: (See Attachment #1 for the letter from Dr. Nevland) There is a suggestion on page 2 permitting them to determine other mental health professionals who might be acceptable as clinical supervisors. This whole thing has shown that there is a tremendous need for board training. (Appears to be reading from e mail: The board members don't know what their responsibilities are and they leave too much of the work to the executive director who is not in most cases a professional in that field – but some kind of administrative person who likes being queen. It is ladies that are mostly doing this.) I thought to this idea of adding in something that would allow them the latitude to determine what other professionals might be acceptable to them. They don't have to have any.

Senator Anderson: I think one of the reasons for the report, if we pass this, is that it makes some changes in how some of them do business and I think that is intentional. The report is to tell us how they implemented that or maybe they didn't. We want to hear about it later on. I think some of the boards have embraced the idea and they are willing to move ahead with it but others are not. I still think the legislation is a good approach.

Chair J. Lee: With that thought in mind, if Heidi who is chair of the board of social work examiners has not gotten back to us, that is long enough, she can go to the house. If we send a message, I think it's a good idea to try.

Senator Heckaman: On page 4 (Attachment #1) it says the North Dakota Board of Addiction Counselors have session meeting this afternoon and voted to fully support the bill with the below revisions (reads revisions). So did we want to look at that?

Senator Anderson: That is 2088. We did communicate that we amended that bill and passed it to Kurt and told him basically that any objections to the language would have to be handled on the House side. We tried to include all of the comments that he made.

Chair J. Lee: Her comments are on 2033 but that bill overlaps with 2088. The blue would be on page 2, lines 14-19 in section 2. I don't remember any controversy on that.

Senator Anderson: We decided we were going to take that out.

Chair J. Lee: The new language that is on page 4 of Dr. Nevland's message, is exactly the same was what's in the bill.

Closed the committee discussion on SB 2033.

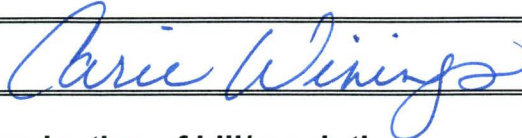
2017 SENATE STANDING COMMITTEE MINUTES

Human Services Committee
Red River Room, State Capitol

SB 2033
1/24/2017
Job Number 27319

☐ Subcommittee
☐ Conference Committee

Committee Clerk Signature



Explanation or reason for introduction of bill/resolution:

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

Minutes:

No Attachments

Chair J. Lee: Opened SB 2033 for committee Discussion.

Committee Discussion: The Committee is discussing SB 2088 that is closely related to SB 2033 and they are reviewing amendments the committee had been discussing for SB 2033 and what was done with SB 2088.

(2:43) Senator Anderson: I am suggesting on page 2, to delete Section 2 altogether.

Chair J. Lee: You don't want the successfully completed board approved course work either?

Senator Anderson: No we put that in SB 2088.

(3:25) Chair J. Lee: (Continued on amendments proposed.)

(5:20) Chair J. Lee: Were they able to talk to John Tyler in the Attorney General's office that works with the boards? I am assuming this is what they want.

V-Chair Larsen: Move to Adopt Amendments.

Senator Anderson: Seconded.

A Roll Call Vote Was Taken: 7 yeas, 0 nays, 0 absent.

Motion Carried.

Senator Anderson: Moved a Do Pass As Amended.

V-Chair Larsen: Seconded.

A Roll Call Vote Was Taken: 7 yeas, 0 nays, 0 absent.

Motion Carried.

Senator Anderson will carry the bill.

2017 SENATE STANDING COMMITTEE MINUTES

Human Services Committee
Red River Room, State Capitol

SB 2033
1/30/2017
Job Number 27592

☐ Subcommittee
☐ Conference Committee

Committee Clerk Signature



Explanation or reason for introduction of bill/resolution:

A bill relating to licensure requirements for behavioral health professionals; and to provide for a report to the legislative management.

Minutes:

No Attachments

Chair J. Lee: Brought the meeting to order on SB 2033 for committee work. All members were present.

Chair J. Lee: We were going to delete all of section 2, relating to the licensed addiction counselors. Because that went into another bill.

Senator Anderson: Move reconsider SB 2033.

V-Chair Larsen: Second.

A Vote was taken. Motion passes.

Senator Anderson: Our intention with the original amendment was to make the changes in section 1 and section 3, because we had already taken appropriate language from section 3, and put it in the licensed addiction counselors bill, which passed on the floor already, we agreed to remove section 2 from this bill.

Committee discussion about procedure.

Chair J. Lee: Closed the hearing on SB 2033.

2017 SENATE STANDING COMMITTEE MINUTES

Human Services Committee
Red River Room, State Capitol

SB 2033
1/31/2017
Job Number 27666

☐ Subcommittee
☐ Conference Committee

Committee Clerk Signature

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Explanation or reason for introduction of bill/resolution:

A bill relating to licensure requirement for behavioral health professionals revision.

Minutes:

No attachments.

Chair J. Lee: Brought the meeting to order.

Committee discussion about procedure.

Senator Anderson: move adopt amendment

Senator Heckaman: Second.

A roll call vote was taken, motion passes.

6-0-1, vote was held for Sen. Kreun.

Senator Anderson: move do pass as amended.

V-Chair Larsen: Second

A roll call vote was taken.

Motion passes

6-0-1, Vote was held for Sen. Kreun.

Sen. Anderson will carry.

Sen Kreun recorded his votes, both motions pass 7-0-0.

January 25, 2017

PROPOSED AMENDMENTS TO SENATE BILL NO. 2033

Page 1, line 14, replace "At least" with "The initial"

Page 1, line 16, replace "have been" with "be"

Page 1, line 16, after "other" insert "qualified mental health"

Page 1, line 17, remove "designated by a supervising licensed independent clinical social"

Page 1, line 18, replace "worker" with "approved by the board if barriers due to the geographical location, disability, or other factors determined by the board to create a hardship exist for the applicant. The qualified professional must be registered or otherwise qualified as a clinical supervisor by the board that licenses the other professional"

Page 3, line 17, after "other" insert "qualified"

Page 3, line 18, replace "supervising licensed professional counselor," with "board"

Page 3, line 19, after "supervised" insert ", if barriers due to geographical location, disability, or other factors determined by the board to create a hardship exist for the applicant. The qualified professional must be registered or otherwise qualified as a clinical supervisor by the board that licenses the other professional"

Page 4, line 29, after "supervisor" insert "and acting under the approved supervisor. The other professional must be approved by the board, approved by that individual's licensing authority to supervise interns if appropriate,"

Page 4, line 30, after the underscored period insert "The marriage and family therapist approved supervisor remains the applicant's supervisor of record."

Renumber accordingly

January 30, 2017

ET
1-30-17
p. 1 of 1

PROPOSED AMENDMENTS TO SENATE BILL NO. 2033

Page 1, line 1 remove "sections 43-45-05.1"

Page 1, line 2 replace "and" with "section"

Page 1, line 14, replace "At least" with "The initial"

Page 1, line 16, replace "have been" with "be"

Page 1, line 16, after "other" insert "qualified mental health"

Page 1, line 17, remove "designated by a supervising licensed independent clinical social"

Page 1, line 18, replace "worker" with "approved by the board if barriers due to the geographical location, disability, or other factors determined by the board to create a hardship exist for the applicant. The qualified professional must be registered or otherwise qualified as a clinical supervisor by the board that licenses the other professional"

Page 2, remove lines 1 through 27

Page 3, line 17, after "other" insert "qualified"

Page 3, line 18, replace "supervising licensed professional counselor," with "board"

Page 3, line 19, after "supervised" insert ", if barriers due to geographical location, disability, or other factors determined by the board to create a hardship exist for the applicant. The qualified professional must be registered or otherwise qualified as a clinical supervisor by the board that licenses the other professional"

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Page 4, line 30, after the underscored period insert "The marriage and family therapist approved supervisor remains the applicant's supervisor of record."

Renumber accordingly

Date: 424 2017Roll Call Vote #: 1

**2017 SENATE STANDING COMMITTEE
ROLL CALL VOTES**

BILL/RESOLUTION NO. 2033Senate Human Services Committee☐ SubcommitteeAmendment LC# or Description: 17.0284.02001

Recommendation: ☒ Adopt Amendment
☐ Do Pass ☐ Do Not Pass ☐ Without Committee Recommendation
☐ As Amended ☐ Rerefer to Appropriations
☐ Place on Consent Calendar

Other Actions: ☐ Reconsider ☐ _____Motion Made By Sen. Larsen Seconded By Sen Anderson

| Senators | Yes | No | Senators | Yes | No |
|----------------------------------|----------|----|--------------------------|----------|----|
| Senator Judy Lee (Chairman) | <u>X</u> | | Senator Joan Heckaman | <u>X</u> | |
| Senator Oley Larsen (Vice-Chair) | <u>X</u> | | Senator Merrill Piepkorn | <u>X</u> | |
| Senator Howard C. Anderson, Jr. | <u>X</u> | | | | |
| Senator David A. Clemens | <u>X</u> | | | | |
| Senator Curt Kreun | <u>X</u> | | | | |
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Total (Yes) 7 No 0Absent 0

Floor Assignment _____

If the vote is on an amendment, briefly indicate intent:

Date: 1/24 2017Roll Call Vote #: 22017 SENATE STANDING COMMITTEE
ROLL CALL VOTESBILL/RESOLUTION NO. 2033Senate Human Services Committee☐ SubcommitteeAmendment LC# or Description: 17.0284.02001

Recommendation: ☐ Adopt Amendment
☒ Do Pass ☐ Do Not Pass ☐ Without Committee Recommendation
☒ As Amended ☐ Rerefer to Appropriations
☐ Place on Consent Calendar

Other Actions: ☐ Reconsider ☐ _____Motion Made By Sen. Anderson Seconded By Sen. Larsen

| Senators | Yes | No | Senators | Yes | No |
|----------------------------------|----------|----|--------------------------|----------|----|
| Senator Judy Lee (Chairman) | <u>X</u> | | Senator Joan Heckaman | <u>X</u> | |
| Senator Oley Larsen (Vice-Chair) | <u>X</u> | | Senator Merrill Piepkorn | <u>X</u> | |
| Senator Howard C. Anderson, Jr. | <u>X</u> | | | | |
| Senator David A. Clemens | <u>X</u> | | | | |
| Senator Curt Kreun | <u>X</u> | | | | |
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Total (Yes) 7 No 0Absent 0Floor Assignment Sen Anderson

If the vote is on an amendment, briefly indicate intent:

Date: 1/30 2017Roll Call Vote #: 12017 SENATE STANDING COMMITTEE
ROLL CALL VOTESBILL/RESOLUTION NO. 2033Senate Human Services Committee☐ SubcommitteeAmendment LC# or Description: 17.0284.0200

Recommendation: ☐ Adopt Amendment
☐ Do Pass ☐ Do Not Pass ☐ Without Committee Recommendation
☐ As Amended ☐ Rerefer to Appropriations
☐ Place on Consent Calendar

Other Actions: ☒ Reconsider ☐ _____Motion Made By Sen. Anderson Seconded By Sen. LarsonVoice Vote

| Senators | Yes | No | Senators | Yes | No |
|----------------------------------|-----|----|--------------------------|-----|----|
| Senator Judy Lee (Chairman) | | | Senator Joan Heckaman | | |
| Senator Oley Larsen (Vice-Chair) | | | Senator Merrill Piepkorn | | |
| Senator Howard C. Anderson, Jr. | | | | | |
| Senator David A. Clemens | | | | | |
| Senator Curt Kreun | | | | | |
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Total (Yes) _____ No _____

Absent _____

Floor Assignment _____

If the vote is on an amendment, briefly indicate intent:

Passes

Date: 1/31 2017

Roll Call Vote #: 1

**2017 SENATE STANDING COMMITTEE
ROLL CALL VOTES**
BILL/RESOLUTION NO. 2033

Senate Human Services Committee

☐ Subcommittee

Amendment LC# or Description: 17. 0284. 02002

Recommendation: ☒ Adopt Amendment
☐ Do Pass ☐ Do Not Pass ☐ Without Committee Recommendation
☐ As Amended ☐ Rerefer to Appropriations
☐ Place on Consent Calendar

Other Actions: ☐ Reconsider ☐ _____

Motion Made By Sen. Anderson Seconded By Sen. Heckaman

| Senators | Yes | No | Senators | Yes | No |
|----------------------------------|-----|----|--------------------------|-----|----|
| Senator Judy Lee (Chairman) | X | | Senator Joan Heckaman | X | |
| Senator Oley Larsen (Vice-Chair) | X | | Senator Merrill Piepkorn | X | |
| Senator Howard C. Anderson, Jr. | X | | | | |
| Senator David A. Clemens | X | | | | |
| Senator Curt Kreun | X | | | | |
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Total (Yes) 7 No 0

Absent 0

Floor Assignment _____

If the vote is on an amendment, briefly indicate intent:

Date: 1/31 2017

Roll Call Vote #: 2

**2017 SENATE STANDING COMMITTEE
ROLL CALL VOTES**
BILL/RESOLUTION NO. 2037

Senate Human Services Committee

☐ Subcommittee

Amendment LC# or Description: _____

Recommendation: ☐ Adopt Amendment
☒ Do Pass ☐ Do Not Pass ☐ Without Committee Recommendation
☒ As Amended ☐ Rerefer to Appropriations
☐ Place on Consent Calendar

Other Actions: ☐ Reconsider ☐ _____

Motion Made By Sen Anderson Seconded By sen Larsen

| Senators | Yes | No | Senators | Yes | No |
|----------------------------------|-----|----|--------------------------|-----|----|
| Senator Judy Lee (Chairman) | X | | Senator Joan Heckaman | X | |
| Senator Oley Larsen (Vice-Chair) | X | | Senator Merrill Piepkorn | X | |
| Senator Howard C. Anderson, Jr. | X | | | | |
| Senator David A. Clemens | X | | | | |
| Senator Curt Kreun | X | | | | |
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Total (Yes) 7 No 0

Absent _____

Floor Assignment Sen Anderson

If the vote is on an amendment, briefly indicate intent:

REPORT OF STANDING COMMITTEE

SB 2033: Human Services Committee (Sen. J. Lee, Chairman) recommends AMENDMENTS AS FOLLOWS and when so amended, recommends DO PASS (7 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). SB 2033 was placed on the Sixth order on the calendar.

Page 1, line 14, replace "At least" with "The initial"

Page 1, line 16, replace "have been" with "be"

Page 1, line 16, after "other" insert "qualified mental health"

Page 1, line 17, remove "designated by a supervising licensed independent clinical social"

Page 1, line 18, replace "worker" with "approved by the board if barriers due to the geographical location, disability, or other factors determined by the board to create a hardship exist for the applicant. The qualified professional must be registered or otherwise qualified as a clinical supervisor by the board that licenses the other professional"

Page 3, line 17, after "other" insert "qualified"

Page 3, line 18, replace "supervising licensed professional counselor," with "board"

Page 3, line 19, after "supervised" insert ", if barriers due to geographical location, disability, or other factors determined by the board to create a hardship exist for the applicant. The qualified professional must be registered or otherwise qualified as a clinical supervisor by the board that licenses the other professional"

Page 4, line 29, after "supervisor" insert "and acting under the approved supervisor. The other professional must be approved by the board, approved by that individual's licensing authority to supervise interns if appropriate,"

Page 4, line 30, after the underscored period insert "The marriage and family therapist approved supervisor remains the applicant's supervisor of record."

Renumber accordingly

REPORT OF STANDING COMMITTEE

SB 2033: Human Services Committee (Sen. J. Lee, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (7 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). SB 2033 was placed on the Sixth order on the calendar.

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Renumber accordingly

2017 HOUSE HUMAN SERVICES

SB 2033

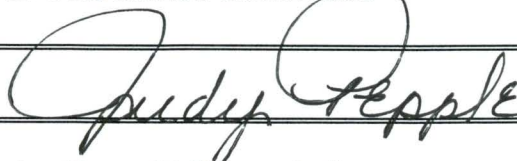
2017 HOUSE STANDING COMMITTEE MINUTES

Human Services Committee Fort Union Room, State Capitol

SB 2033
3/6/2017
28718

☐ Subcommittee
☐ Conference Committee

Committee Clerk Signature



Explanation or reason for introduction of bill/resolution:

Relating to licensure requirements for behavioral health professionals; and to provide for a report to the legislative management.

Minutes:

1, 2

Chairman Weisz: Called the committee to order.
Attendance taken
Opened the hearing on SB 2033.

Is there any testimony in support of SB 2033?

Sheila Sandness, Legislative Council
(Attachment 1)

Chairman Weisz: Further testimony in support of SB 2033?

Is there testimony in opposition to SB 2033?

Chairman Weisz: Neutral testimony

Edward Erickson, Attorney General's Office
(Attachment 2)

The social worker's board also has a bill with the general amendment to their practice act which is SB 2293. This committee will be hearing that bill on Wednesday. The amendments to both of these bills are amending the same sections of their practice act. What they are intending to do is to have both bills reconciled so that we don't have a problem with language that doesn't work together. You will also be receiving mirrored amendments to SB 2293. All they are trying to do is add the language from this bill to SB 2293 and the language from SB 2293 to this bill.

Chairman Weisz: Questions from the committee?

Representative Devlin: Then why do we need two bills? Why can't it all be combined in one?

E. Erickson: The other bill, SB 2293, is a general revamp of the social workers practice act and it contains a lot of things that aren't pertinent to this bill and this bill material relates not only to social workers, but to a number of other licensing boards which don't belong in the practice act of the social workers. Except for where the two bills overlap in one section, there is no other overlaps in the two bills.

Chairman Weisz: Further questions from the committee?

Closed the hearing on SB 2033.

2017 HOUSE STANDING COMMITTEE MINUTES

Human Services Committee
Fort Union Room, State Capitol

SB 2033
3/20/2017
29433

☐ Subcommittee
☐ Conference Committee

Committee Clerk Signature



Explanation or reason for introduction of bill/resolution:

Relating to licensure requirements for behavioral health professionals; and to provide for a report to the legislative management.

Minutes:

1

Chairman Weisz: Called committee to order:
Attendance taken.

Chairman Weisz: Opened the discussion on SB 2033. There are some suggested amendments. (Attachment 1)
What does the committee want to do?

Representative Porter: page 1 line 10 How would anyone get to a master's or doctorate degree without reaching the age of 18.

Representative McWilliams: Does that mean that you can't practice if you are in your 20s?

Chairman Weisz: That is interesting.

Representative Skroch: Page 2 after line 4. Is of good moral character. Who decides that?

Chairman Weisz: The board.

Representative Skroch: We seem to have a hard time deciding what good moral character in society.

Chairman Weisz: Current law says the applicant agrees to adhere to the code of social work ethics. In addition to that they are adding "is of good moral character". Boards do decide who is of good moral character.

Representative Seibel: Who brought this amendment?

Chairman Weisz: That is what I was wondering.

Representative Seibel: This was the committee that Rep. Hogan chaired.

Chairman Weisz: Ok I assume they came from her.

Representative Seibel: No, I think that committee was chaired by Senator Lee.

Representative McWilliams: I would like some clarification. Page 1 line 23 where it says overstrike certified and insert masters. I would like some clarification on what that would do and how it changes things.

Chairman Weisz: They don't use "certified" in the language anymore. I believe everyone has to have masters. Up in A it says they have to have a doctorate or masters degree.

Representative Porter: There are several levels inside of this. In Section 1 is the independent. There is still a licensed social worker.

Chairman Weisz: But they can't operate independently.

Representative Porter: Correct.

Chairman Weisz: You have to have a masters to operate independently.

Representative Porter: One of the things from last session that they were tasked in doing was allowing for different pathways to complete their clinical rotations so that there wasn't this big fence up around these different areas of practice because of the mental health concerns. The thing that I notice most about the bill is in the housekeeping requirements are different than what they used to be and that was to help the students in their residency to get in and get it done.

Chairman Weisz: They broke up the 3000 hours and allowed 50% of it to be with someone else. Only 1500 hours have to be under the supervision of the licensed clinical social worker. The rest can be under other qualified mental health professionals. They did come back with changes to the board like Representative Porter said.
Further discussion on this?

Representative McWilliams: We had testimony on one of these bills where there was an issue with a loop hole that she fell into about her not being able to get her license here because of the school she went to. The school was not accredited to the standards that we were looking for. Is that in this bill or was it a different one?

Chairman Weisz: That was in 2293. That's the other one that we have that deals with this same kind of issue.

Chairman Weisz: What does the committee want to do?

Representative P. Anderson: I just looked up what good moral character is. It is very general. It says, "Honesty, fairness, and respect for the rights of others and for state and federal law.

The lack of good moral character must be supported by clear and convincing evidence.” It seems to be a very general description.

Chairman Weisz: Boards have always been able to set up what rules for what needs to be considered as ethical conduct. It says the board will set up social work ethics. This isn't unusual, it is just adding language.

Representative Schneider: We might want to state what that age of majority is. It can be different depending where you are. Or it could be taken out.

Chairman Weisz: Yes, it could be removed. Page 1 line 10 delete.

Representative Schneider: The other thing was the issue that Representative Porter brought up and that is the age of majority. You might want to state what that is, because historically that has been age 21 and then the state can change it. What Representative P. Anderson looked up says that most states are 18. I am not sure if it was meant to 18 or even if it is important to us.

Chairman Weisz: Do we need it in there at all?

Representative Schneider: yes, or take it out.

Chairman Weisz: We don't want them to get a masters or doctorate at an age where we don't want them practicing. We certainly can remove that if that is what the committee wants. We don't need a motion for that. Page 1 line 10. Is there anything else in the amendment that you want to look at?

Representative Porter: I move we adopt the amendment.

Chairman Weisz: Ok, we have a motion. Do we have a second?

Representative McWilliams: second

Chairman Weisz: Ok is there any further discussion on the amendments in front of us?
Voice vote to accept the amendments.
Motion carried.

Chairman Weisz: Ok we have an amended bill before us are there any further amendments? What is the committees wishes?

Vice Chairman Rohr: I move a do pass as amended on SB 2033.

Representative McWilliams: I second it.

Chairman Weisz: Ok we have an amended bill before us. Is there any discussion?

Representative Skroch: We discussed that 2033 and 2293 are very similar except in section 1. If we pass this are we going to overlapping?

Chairman Weisz: There are some other things in 2293. If they do overlap, LCC will coordinate the language. Certainly when we take up 2293 we need to look at it in reference to what we pass out in 2033. Then we can decide if there isn't anything additional that we need, we can kill it.

Chairman Weisz: Any further discussion? Seeing none. The clerk will call the roll for a do pass as amended on Engrossed SB 2033.

Roll call vote taken yes 14 No 0 Absent 0

Chairman Weisz: Motion carried. Do I have a volunteer to carry this one?

Representative B. Anderson: I will carry it.

Chairman Weisz: Thank you, Representative B. Anderson.
Adjourned.

3/20/17 DF

March 20, 2017

PROPOSED AMENDMENTS TO ENGROSSED SENATE BILL NO. 2033

Page 1, line 8, overstrike "The board shall issue" and insert immediately thereafter "To obtain"

Page 1, line 8, overstrike "as a licensed independent" and insert immediately thereafter "to practice"

Page 1, line 8, overstrike "worker to" and insert immediately thereafter "work."

Page 1, line 8, after "an" insert "applicant for licensure by examination shall submit to the board a written application in the form prescribed by the board and provide satisfactory evidence the"

Page 1, line 9, overstrike "who"

Page 1, line 10, overstrike "a college or university" and insert immediately thereafter "an approved social work program"

Page 1, line 12, remove "Satisfied"

Page 1, line 12, overstrike "the board that within" and insert immediately thereafter "Within"

Page 1, line 12, overstrike "the applicant"

Page 1, line 12, after "has" insert an underscored comma

Page 1, line 15, overstrike "licensed independent"

Page 1, line 22, overstrike "licensed"

Page 1, line 23, overstrike "certified" and insert immediately thereafter "master's"

Page 2, line 2, after the period insert "The applicant may demonstrate to the board's satisfaction that experience in the practice of clinical social work meets or exceeds the minimum supervisory requirements of the board."

Page 2, line 3, remove "Satisfied"

Page 2, line 3, overstrike "the board"

Page 2, line 3, overstrike "the applicant agrees" and insert immediately thereafter "Agrees"

Page 2, after line 4, insert:

"e. Is of good moral character. In determining the character of an applicant in a licensure decision, the board shall consider information obtained through reports made under section 43-41-04.2.

f. Paid all applicable fees specified by the board regarding the licensure process."

Renumber accordingly

Date: 3/20/17
Roll Call Vote #: _____

2017 HOUSE STANDING COMMITTEE
ROLL CALL VOTES
BILL/RESOLUTION NO. 513 2033

House Human Services Committee

☐ Subcommittee

Amendment LC# or Description: 17.0284.04001

Recommendation: ☒ Adopt Amendment
☐ Do Pass ☐ Do Not Pass ☐ Without Committee Recommendation
☐ As Amended ☐ Rerefer to Appropriations
☐ Place on Consent Calendar
Other Actions: ☐ Reconsider ☐ _____

Motion Made By Rep. Porter Seconded By Rep. McWilliams

| Representatives | Yes | No | Representatives | Yes | No |
|--------------------|-----|----|------------------|-----|----|
| Chairman Weisz | | | Rep. P. Anderson | | |
| Vice Chairman Rohr | | | Rep. Schneider | | |
| Rep. B. Anderson | | | | | |
| Rep. D. Anderson | | | | | |
| Rep. Damschen | | | | | |
| Rep. Devlin | | | | | |
| Rep. Kiefert | | | | | |
| Rep. McWilliams | | | | | |
| Rep. Porter | | | | | |
| Rep. Seibel | | | | | |
| Rep. Skroch | | | | | |
| Rep. Westlind | | | | | |
| | | | | | |
| | | | | | |

Vote to adopt amendment
Motion carried

Total (Yes) _____ No _____

Absent _____

Floor Assignment _____

If the vote is on an amendment, briefly indicate intent:

Date: 3/20/17
Roll Call Vote #: 2

2017 HOUSE STANDING COMMITTEE
ROLL CALL VOTES
BILL/RESOLUTION NO. S.B. 2033

House Human Services Committee

☐ Subcommittee

Amendment LC# or Description: _____

Recommendation: ☐ Adopt Amendment
☒ Do Pass ☐ Do Not Pass ☐ Without Committee Recommendation
☒ As Amended ☐ Rerefer to Appropriations
☐ Place on Consent Calendar
Other Actions: ☐ Reconsider ☐ _____

Motion Made By Rep. Rohr Seconded By Rep. McWilliams

| Representatives | Yes | No | Representatives | Yes | No |
|--------------------|-------------------------------------|----|------------------|-------------------------------------|----|
| Chairman Weisz | <input checked="" type="checkbox"/> | | Rep. P. Anderson | <input checked="" type="checkbox"/> | |
| Vice Chairman Rohr | <input checked="" type="checkbox"/> | | Rep. Schneider | <input checked="" type="checkbox"/> | |
| Rep. B. Anderson | <input checked="" type="checkbox"/> | | | | |
| Rep. D. Anderson | <input checked="" type="checkbox"/> | | | | |
| Rep. Damschen | <input checked="" type="checkbox"/> | | | | |
| Rep. Devlin | <input checked="" type="checkbox"/> | | | | |
| Rep. Kiefert | <input checked="" type="checkbox"/> | | | | |
| Rep. McWilliams | <input checked="" type="checkbox"/> | | | | |
| Rep. Porter | <input checked="" type="checkbox"/> | | | | |
| Rep. Seibel | <input checked="" type="checkbox"/> | | | | |
| Rep. Skroch | <input checked="" type="checkbox"/> | | | | |
| Rep. Westlind | <input checked="" type="checkbox"/> | | | | |
| | | | | | |
| | | | | | |

Total (Yes) 14 No 0

Absent 0

Floor Assignment _____

If the vote is on an amendment, briefly indicate intent:

REPORT OF STANDING COMMITTEE

SB 2033, as engrossed: Human Services Committee (Rep. Weisz, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (14 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). Engrossed SB 2033 was placed on the Sixth order on the calendar.

Page 1, line 8, overstrike "The board shall issue" and insert immediately thereafter "To obtain"

Page 1, line 8, overstrike "as a licensed independent" and insert immediately thereafter "to practice"

Page 1, line 8, overstrike "worker to" and insert immediately thereafter "work."

Page 1, line 8, after "an" insert "applicant for licensure by examination shall submit to the board a written application in the form prescribed by the board and provide satisfactory evidence the"

Page 1, line 9, overstrike "who"

Page 1, line 10, overstrike "a college or university" and insert immediately thereafter "an approved social work program"

Page 1, line 12, remove "Satisfied"

Page 1, line 12, overstrike "the board that within" and insert immediately thereafter "Within"

Page 1, line 12, overstrike "the applicant"

Page 1, line 12, after "has" insert an underscored comma

Page 1, line 15, overstrike "licensed independent"

Page 1, line 22, overstrike "licensed"

Page 1, line 23, overstrike "certified" and insert immediately thereafter "master's"

Page 2, line 2, after the period insert "The applicant may demonstrate to the board's satisfaction that experience in the practice of clinical social work meets or exceeds the minimum supervisory requirements of the board."

Page 2, line 3, remove "Satisfied"

Page 2, line 3, overstrike "the board"

Page 2, line 3, overstrike "the applicant agrees" and insert immediately thereafter "Agrees"

Page 2, after line 4, insert:

"e. Is of good moral character. In determining the character of an applicant in a licensure decision, the board shall consider information obtained through reports made under section 43-41-04.2.

f. Paid all applicable fees specified by the board regarding the licensure process."

Renumber accordingly

2017 CONFERENCE COMMITTEE

SB 2033

2017 SENATE STANDING COMMITTEE MINUTES

Human Services Committee
Red River Room, State Capitol

SB 2033
4/5/2017
Job Number 29956

☐ Subcommittee
☒ Conference Committee

Committee Clerk Signature



Explanation or reason for introduction of bill/resolution:

Licensure requirement for behavioral health professionals revision.

Minutes:

2 attachments

Chairman Anderson: Opened the hearing, all members were present: Senator Anderson, Senator J. Lee, Senator Piepkorn; Representative Rohr, Representative Kiefert, and Representative Schneider.

Representative Rohr: Introduced the amendments. Stated that the chambers were going to concur, but a bill that had been killed had vital legislation in it. SB 2293 addressed reciprocity for social workers, without it 3 social workers completing their transfer paperwork couldn't work in state, nothing to address reciprocity. John Tyler, AG office, and Heidi Nieuwsma, Chair, North Dakota Board of Social Workers, came up with some amendments that were agreeable to the county. **Please see attachment #1 for proposed amendment, and attachment #2 for correspondence.**

Senator J. Lee: We were very satisfied with the amendments from the House, but we were disappointed for SB 2293, the Social Worker's Board had done a lot of work on it. Rep. Weisz and I agreed to deal with reciprocity issue from 2293, that's why the amendments are here from John Tyler and Heidi Nieuwsma. That's the intent, let's see if we're happy with the amendments.

Senator Piepkorn: Are the amendments we are going to be discussing, do they negate anything?

Senator J. Lee: No.

Chairman Anderson: It sounds like there isn't anybody who knows what's in these amendments yet, but let's let Rep. Rohr try to explain them. The 1st page, isn't that what you already did?

Representative Rohr: Yes, I believe so. Page 2 is what was added, it would be section 43-41-07.

Senator J. Lee: The chapter, 43-41-07 is the social workers chapter, so by including the chapter, that means it bumps everything down from the title, so they need to renumber.

Chairman Anderson: Can I explain why it's written this way, is the first page written exactly the same as what the House changed previously?

Intern Ian Arendt: It must be; perhaps it's when any further amendments are made here are unofficial until the committee votes on them.

Committee discussion about procedure. (8:50-13:15)

Senator J. Lee: I move the Senate accede to House amendments and further amend, to permit social workers from out of state to be licensed in North Dakota by the Board.
Senator Piepkorn: Second.

Senator Piepkorn: On bill back from the House, on page 2, section 1, letter e," applicant is of good moral character."

Senator J. Lee: All the board legislation all the professional licensures have to be of good moral character, that's standard.

Chairman Anderson: The language on lines 9-12 page 2, the House was asked to put that in.

Senator Piepkorn: On page 1 of the Senate bill at the bottom line 22-23 a licensed certified changed to masters.

Senator J. Lee: They were making them the same across all legislation this session.

Chairman Anderson: When the social workers were in the House, they asked them to update their language to reflect their current practice.

Representative Rohr: They wanted their language to be uniform, reciprocity in other states, they would all be on the same page.

Chairman Anderson: They removed licensed clinical social worker, and just made it licensed social worker, presumably so that lower lever people could supervise interns.

A roll call vote was taken; motion passes 6-0-0.

Chairman Anderson: Closed the conference committee hearing.

April 5, 2017

AM
4/6/17

PROPOSED AMENDMENTS TO ENGROSSED SENATE BILL NO. 2033

That the Senate accede to the House amendments as printed on page 949 of the Senate Journal and pages 1069 and 1070 of the House Journal and that Engrossed Senate Bill No. 2033 be further amended as follows:

Page 1, line 1, replace the second "section" with "sections 43-41-07 and"

Page 2, after line 4, insert:

"SECTION 2. AMENDMENT. Section 43-41-07 of the North Dakota Century Code is amended and reenacted as follows:

43-41-07. Qualification for licensure by an applicant licensed in another jurisdiction.

An applicant may be granted a license upon satisfactory proof to the board that the applicant is licensed in good standing under the laws of another jurisdiction that imposes substantially the same requirements as this chapter and a board determination that at the time of application for licensure under this section the applicant possesses qualifications or experience in the practice of social work which are substantially similar to the minimum requirements under this chapter. The applicant shall pay the licensure fees specified by the board."

Renumber accordingly

Date: 4/5
Roll Call Vote #: 1

**2017 SENATE CONFERENCE COMMITTEE
ROLL CALL VOTES**

BILL/RESOLUTION NO. 2033 as (re) engrossed

Senate "Enter committee name" Committee

- Action Taken ☐ SENATE accede to House Amendments
☒ SENATE accede to House Amendments and further amend
☐ HOUSE recede from House amendments
☐ HOUSE recede from House amendments and amend as follows

☐ Unable to agree, recommends that the committee be discharged and a new committee be appointed

Motion Made by: Sen. Lee Seconded by: Sen. Piepkorn

| Senators | 4/5 | | | Yes | No | | Representatives | 4/5 | | | Yes | No |
|-------------------|-----|--|--|-----|----|--|-----------------|-----|--|--|-----|----|
| Sen. H. Anderson | X | | | X | | | Rep. Rohr | X | | | X | |
| Sen. J. Lee | X | | | X | | | Rep. Kiefert | X | | | X | |
| Sen. Piepkorn | X | | | X | | | Rep. Schneider | X | | | X | |
| | | | | | | | | | | | | |
| | | | | | | | | | | | | |
| Total Senate Vote | | | | 3 | | | Total Rep. Vote | | | | 3 | |

Vote Count Yes: 6 No: 0 Absent: 0

Senate Carrier Sen. Anderson House Carrier Rep. Rohr

LC Number 17.0284 . 04002 of amendment

LC Number 06000 . _____ of engrossment

Emergency clause added or deleted

Statement of purpose of amendment

To permit social workers from out of state to be licensed in North Dakota by the Board.

Insert LC: 17.0284.04002
Senate Carrier: Anderson
House Carrier: Rohr

REPORT OF CONFERENCE COMMITTEE

SB 2033, as engrossed: Your conference committee (Sens. Anderson, J. Lee, Piepkorn and Reps. Rohr, Kiefert, Schneider) recommends that the **SENATE ACCEDE** to the House amendments as printed on SJ page 949, adopt further amendments as follows, and place SB 2033 on the Seventh order:

That the Senate accede to the House amendments as printed on page 949 of the Senate Journal and pages 1069 and 1070 of the House Journal and that Engrossed Senate Bill No. 2033 be further amended as follows:

Page 1, line 1, replace the second "section" with "sections 43-41-07 and"

Page 2, after line 4, insert:

"SECTION 2. AMENDMENT. Section 43-41-07 of the North Dakota Century Code is amended and reenacted as follows:

43-41-07. Qualification for licensure by an applicant licensed in another jurisdiction.

_An applicant may be granted a license upon satisfactory proof to the board that the applicant is licensed in good standing under the laws of another jurisdiction that imposes substantially the same requirements as this chapter and a board determination that at the time of application for licensure under this section the applicant possesses qualifications or experience in the practice of social work which are substantially similar to the minimum requirements under this chapter. The applicant shall pay the licensure fees specified by the board."

Renumber accordingly

Engrossed SB 2033 was placed on the Seventh order of business on the calendar.

2017 TESTIMONY

SB 2033

Madame Chairman, members of the committee:

For the record, my name is Sheila Sandness and I am a Senior Fiscal Analyst for the Legislative Council. I am here to present information on Senate Bill No. 2033 relating to the licensure requirements for behavioral health professionals and to provide for a report to the Legislative Management. I appear neither for nor against the bill, but just to provide information and answer any questions you may have.

Section 1 of 2015 House Bill No. 1048 provided for a report from the Board of Addiction Counseling Examiners, Board of Counselor Examiners, North Dakota Board of Social Work Examiners, State Board of Psychologist Examiners, State Board of Medical Examiners, and North Dakota Marriage and Family Therapy Licensure Board regarding plans for administration and implementation of licensing and reciprocity standards for licensees and any legislative changes necessary to implement those plans.

In addition, Section 4 of 2015 House Bill No. 1049 provided for a report from the Board of Addiction Counseling Examiners regarding the status of the periodic evaluation of initial licensure coursework requirements and clinical training requirements.

The interim Health Services Committee was assigned to receive both of these reports. The committee received these reports and other testimony regarding workforce-related issues, national standards, interstate compacts, reciprocity, training, clinical supervision requirements, internships, and the licensure of behavioral health professionals.

The interim Health Services Committee recommends Senate Bill No. 2033 to provide for clinical supervision of behavioral health professionals by behavioral health professionals outside of their respective professions and to provide for a report to the Legislative Management. The changes allow for a portion of the

supervision to be provided by other behavioral health professionals, similar to the clinical supervision of psychologists.

The bill amends sections related to the licensure of clinical social workers, addiction counselors, licensed professional counselors, and marriage and family therapists. For clinical training or accumulated experience required for initial licensure, the bill allows 50 percent of required supervision to be with other professionals designated by the supervising professional and competent in the area of practice being supervised.

The Health Services Committee's findings and recommendation regarding the behavioral health reports can be found in the "Report of the North Dakota Legislative Management".

That concludes my testimony and I would be happy to answer any questions you may have.

SB 2033
Attach #2
1/10
pg. 1

Testimony SB 2033 Senate Human Services Committee
Tuesday, January 10, 2017, 9:30 am

Rev. Larry J. Giese
3910 Lewis Road NW
Mandan, ND 58554, District #31, 701-400-8943

TO: Senator Judy Lee, Chair, Senators Oley Larsen, Howard C. Anderson, Jr., David Clemens, Joan Heckaman, Curt Kreun, Merrill Piepkorn

Good morning Chairman Lee and members of the Senate Human Services Committee. I am Larry Giese, a licensed marriage and family therapist (LMFT) and Administrator of the North Dakota Marriage & Family Therapy Board. Today I appear on behalf of the North Dakota Marriage and Family Therapy Licensure Board (NDMFTLB), OPPOSED, to Legislative Management amendments to 43-53-01 dealing specifically with whom a supervisee may obtain supervision to complete post-graduate requirements.

1. I must say that I was blindsided by this Bill. There seems to be little transparency between Legislative Management Human Services Committee and the public let alone the Boards affected. What is the need for the change? A shortage of supervisors? For which discipline? I would like to share the present status of supervisors in North Dakota for LMFT's. The primary duty of the Board is to protect the public from therapists who do not meet standards of education and experience in the field.
2. Rostered in North Dakota at the present time are 14 Board approved supervisors, of which, 3 are AAMFT approved as well, one in training. There is access to all supervisors through direct face to face supervision and asynchronous electronic means for distance supervision. There are strict standards to meet to become an approved supervisor. I would not want to change these standards in any way. They represent the Marriage and Family Field very well and what is expected of both the supervisor and the supervisees in training. There are approved supervisors located in Minot, Grand Forks, and Fargo.
3. There are few supervisors who are trained and approved and dual licensed within the state for LMFT and Social Work. Sally Tobin from West Fargo is among them. I have her testimony today in opposition to this bill. They meet the credentialing requirements of both disciplines. These are the supervisors who are recognized across the disciplines to provide supervision to licensees seeking supervision across the discipline. This number has little impact to improve the number of supervisors if there is a shortage.
4. LAMFT licensees rarely seek supervision from an approved supervisor outside of the field. The Board has not been made aware of hardships from LMFT's. Licensees have been able to make arrangements with supervisors for distance supervision which satisfies the Board's standards and those of the Association of Marriage and Family Therapy Regulatory Boards (AMFTRB).

5. Regardless of the number supervisors available, the license has a minimum of a two years to accrue post-graduate supervision and experience and up to four years in a part-time arrangement.

The licensing statute 43-53-01 presently meets the needs of North Dakota licensees in training for Licensed Marriage and Family Therapy and does not need to be amended. Credentialing standards for LMFT's are common across the United States through the Association of Marriage and Family Therapy Regulatory Boards. Changing important requirements could jeopardize endorsements of Licensed Marriage and Family Therapists into and out of other jurisdictions. It would appear that an LMFT with less than 100 % of supervision from an approved supervisor would be held suspect and not acceptable to other jurisdictions.

This bill appears to be a quick fix idea that is poor legislation. I don't know why I would want a veterinarian to perform a procedure when I truly need a heart surgeon. Just because both can dissect and look at my innards doesn't qualify both for the job. I don't want work from a wannabee, fake, or cheaply trained. I demand the best for the citizens of North Dakota.

Thank you for your consideration and I would be happy to answer any questions.

NOTE: The LMFT supervision requires supervisors to have full licensure (Licensed Marriage and Family Therapist), have a full three years post-licensure experience, before applying for an approved supervisor status. Education requirements can be one of three: A. 30 CEU course on supervision, a semester class at a COAMFTE accredited university, (NDSU), or a mentee in training under direct supervision of an AAMFT approved supervisor. Upon meeting these requirements the Board approves a supervisor. A licensee needing supervision presently may have two approved supervisors. 3.0 CEU hours must be completed every two years to remain current as an approved supervisor.

SB 2033 – Testimony 1-10-17

Chairman Lee, Members of the Human Services Committee:

My name is Sally Tobin. I have a master's degree in social work and am licensed as a Licensed Independent Clinical Social Worker (LICSW) and a Marriage and Family Therapist (LMFT). I have completed the necessary education and training to be recognized as an approved Supervisor for Marriage and Family Therapists in North Dakota and Social Workers pursuing and LICSW in Minnesota. Additionally I have been allowed by the ND Board of Social Work Examiners to supervise licensees in the State of ND. This has required additional training and education above and beyond my own LICSW license. I am providing this testimony in opposition of SB 2033.

As a professional I need to be aware of what I am qualified to do and not qualified. Social workers, counselors, MFTs and addiction counselors are not interchangeable. Our education, training and supervision needs to reflect the different theoretical and practice perspectives that each of these professions has. If my family member had a addiction issue, I would want them going to a counselor properly educated and trained by addiction counselors – one whose training meets the strict standards of the profession. If I refer a client to a social worker, it is because of the unique education and supervision that social workers receive. I want to know that their education meets national standards and is accredited; I want to be sure that their supervision meets or exceeds the strict standards of the national and state professional boards.

When reading this bill I was struck by two things – first that in a era when many legislators ran on an platform of less government, this is taking the responsibility of the various boards away from the profession and regulating them through government and legislation. Would you be doing this for physicians, lawyers, physical therapists or other professionals?

Second, if I may use a sports metaphor, it's like saying a ball is a ball is a ball – if you use a baseball for the first five innings, it's ok if you use a golf ball for the rest of the game – without checking with the umpire. I believe the professional boards, who are charged with maintaining the standards of the profession, are in the best position to decide who can best supervise their licensees.

I have heard that this is being done because we have a need for additional behavioral health professionals and the thought is that this would increase our numbers. My question is at what cost? I also wondered when I looked at this bill, about reciprocity with other states. If North Dakota trains LACs or social workers or counselors who can't meet licensing standards if they move to another state, or want to increase their practice into Minnesota or South Dakota, why would they want to train here? And, ultimately would this result in fewer trained behavioral health professionals.

I hope that you defeat this bill and go back to the behavioral health Boards to have further discussions.

Thank you.

Respectfully submitted,

Sally Tobin, MSW, LICSW, LMFT

1/10

SB 2033

3

Pg. 3

319 7th St. West
West Fargo, ND 58078

SB 2033
Attache #4
1/10/17
pg. 1

Testimony SB 2033
Senate Human Services Committee
Tuesday, January 10, 2017, 9:30 am

Marge Ellefson
2112 10th Ave SE
Mandan, ND 58554 701-667-5969

TO: Senator Judy Lee, Chair, Senators Oley Larsen, Howard C. Anderson, Jr., David Clemens, Joan Heckaman, Curt Kreun, Merrill Piepkorn

Good morning Chairman Lee and members of the Senate Human Services Committee.

My name is Marge Ellefson and I am the Executive Secretary for the North Dakota Board of Counselor Examiners. I have permission from my board to speak here today.

I am here today to discuss SB 2033. I would like to add that although passage of this bill would impact our board and its work, we were never notified about this bill, either when it was being considered or drafted. At no time did anyone ask this board what impact a change in the supervision rules would have on the training of our counselors and our accountability and responsibility to the public. I found out about this bill purely by accident when I was attending a meeting in September and it was discussed at that meeting. Imagine my surprise.

Our board discussed this bill at our last board meeting. From what we can decipher, this bill would allow professional counselors to receive supervision from disciplines outside the counseling profession. What we could further gather was that anyone supervising an associate counselor could decide who an appropriate follow-up supervisor would be. This has always been the decision of the board. That is the purpose of the associate counselor filing a Plan of Supervision, which needs to be approved prior to supervision. The board reviews the proposed work setting and proposed counseling activity, as well as the credentials of the supervisor, to ensure that the associate counselor is doing actual on-going counseling, as opposed to intake or assessment, which do not give the counselor an opportunity to follow a client, from initial visit through developing a diagnosis and treatment plan, nor give the supervisor an opportunity to assess skill sets and offer professional advice. If the board is not aware of the supervisor or the setting, the supervision could result in disqualification if someone else is determining the process or setting of the supervision and does not follow the NDBCE guidelines.

Currently our rules state that an associate counselor under supervision must get that supervision from someone with counseling credentials equal to or greater than the credentials the supervisee is seeking, which would be an LPC or an LPCC. This board spent many dollars and much time on administrative rules in 2014, one of the rules being this one. The board placed that rule because it would establish a solid supervision experience for the associate counselor to be getting supervision from a professional counselor, one who has the same education, has taken the counseling exams, and is familiar with such instruction as counseling methods, techniques, the ACA Code of Ethics, and general best practices of counseling. Supervisors outside this discipline will most likely not be familiar with counseling methods and practices, as those supervisors would be trained in another field, their own. Our supervisees with questions in those areas, and many other areas, would not have a counseling resource. Further, there are many associate counselors who will be seeking the clinical license in the future. The board requires

that an LPCC supervise those seeking the clinical license, as no other discipline may be familiar with, say, the DSM or how it is used in counseling, clinical counseling skills, or even guiding the associate counselor in preparing for the clinical mental health exam.

This board has also established criteria for supervisors for the North Dakota associate counselors. Supervisors must have five years of counseling experience, hold a current ND counselor license, and must have 30 hours of continuing education in counselor supervision every five years. The board does not believe these requirements are unreasonable, and these requirements will keep the supervisors current in the ever-changing field of counseling. For some, these two years of supervision provide the only supervision experience these counselors will receive, and it is vital that the supervision be done by someone in the counseling field, as this experience should create a solid basis for the counselor in their own field, not someone else's. The board requires five years of counseling experience prior to being certified as a supervisor, as opposed to someone with two years of counseling experience who has not experienced a wider variety of counseling issues. This board does not see any of this as a barrier, but rather ensuring that when the associate moves to the independent level of practice, that associate is as well prepared as possible to serve the people of North Dakota.

I liken mental health professions to construction. When we built our house, it took several people with different areas of expertise to complete that house to be stable and able to withstand time and challenges. Each aspect of completing that house presented certain needs, and those needs were fulfilled by those trained in those areas. I would not have been comfortable if my plumber was trained by a framer, or my electrician trained by a drywall expert, yet each in their own way was vital in making that house strong. And I certainly wouldn't have wanted my pediatrician to be trained by a bone and joint specialist. Both are doctors, but trained in specific areas to fulfill specific needs of the patient.

When this board became aware of this bill, it was sent to all licensed counselors for their awareness. I received some feedback, one comment in particular that I would like to quote here.

...I received the email concerning legislative changes for supervision within the state, it is disturbing. Do we as practitioners in the profession have any say in this? As it is written, for a social work degree the supervisors are specified, and the list does not include counselors. For the counseling profession it is left open for anyone with a supervision designation. The argument the Department of Defense uses for not hiring counselors is that "counselor standards are not equivalent across training programs". I have always been told that if we do not regulate ourselves as a profession it will be done for us. I think changing the requirements so Counselors need to be supervised by LPCCs with a supervision designation was a step in the right direction, and raised professional standards in North Dakota. I believe that the training required to become a supervisor is not sufficient but it does increase the number of supervisors in the field. It is unreasonable that the state would change standards which would result in weakening our profession. It is unreasonable that the standards are less stringent for the Counseling profession than they are for the Social Work and Psychology professions...

It is evident that supervisors are hoping for more stringent and structured supervision requirements, not less.

In identifying what some say are issues in finding a supervisor, although this is NOT the responsibility of the board to find supervisors for associate counselors, the board developed a list of available and willing supervisors and put it on the website. The list is only partial, but this board expects to continue to maintain it and it will grow. It has been the responsibility of the associate counselor to find a supervisor,

as it should be, as supervision is a continuation of their counselor education and training, however, the board did develop this list available for those who would not have a supervisor at their place of employment, for example.

The bill reads: ***Has two years of supervised experience, at least fifty percent of which must have been under a licensed professional counselor, or its equivalent as determined by the board.*** The NDBCE administrative rules require supervision be done by a licensed counselor who holds a ND supervisor certification. There is no equivalent. If the associate counselor can find a professional counselor to supervise fifty percent, why can't that supervision relationship continue? Why interrupt that to replace the supervisor with someone outside the discipline?

The bill further reads: ***and the additional supervised experience may have been with other professionals designated by the supervising licensed professional counselor, which are competent in the area of practice being supervised.*** Who determines that the supervisor is qualified or competent to approve the follow-up or the next supervisor? Other concerns with this have already been mentioned, such as the risk that the "other" fifty percent will not qualify to move to independent status.

The bill continues: ***Provided a written plan for supervised experience which meets the requirements adopted by the board.*** The requirements adopted by the board require the supervisor to be a licensed counselor with a supervisor certification. This statement is confusing, at best, as the Boards requirement is quite clear. I do believe that had there been some open dialogue or even awareness during the drafting of this bill, many specific situations could have been explained and addressed. Since there was none, this board has to interpret this bill as best it can.

My last remark here is the mandatory report mentioned in the final paragraph of this bill. Had I not been at the legislative interim meeting in September (for a totally different reason), when would we and the other boards have been notified about the mandatory report?

I am hoping today that I could lend some insight into the work, purpose and mission of our board and provide some information that was not considered when this bill was drafted.

The North Dakota Board of Counselor Examiners is not in favor of these changes. Passage of this bill will undo the efforts this board made in 2014 to begin to strengthen supervision, and it will make the quality of supervision and of new licensees significantly less prepared to serve the public in ND. This would be going backwards for our profession and for the people of North Dakota, who we serve.

Thank you for your time and consideration.



Marge Ellefson

SB 2033
Attack #5
4/10

NDLA, S HMS - Johnson, Marne

From: [REDACTED]
To: Lee, Judy E.
Subject: Tuesday, January 10, 2017 1:21 PM
-Grp-NDLA Senate Human Services; NDLA, S HMS - Johnson, Marne
FW: Information on SB 2033

Here is Dr. Peterson's testimony.
Marne, please print and distribute.

Senator Judy Lee
1822 Brentwood Court
West Fargo, ND 58078
home phone: 701-282-6512
e-mail: jlee@nd.gov

From: Peterson, Lisa Ann
Sent: Tuesday, January 10, 2017 11:55 AM
To: Sandness, Sheila M. <smsandness@nd.gov>; Lee, Judy E. <jlee@nd.gov>
Subject: Information on SB 2033

Hello,
I wanted to provide a couple of key points pursuant to my testimony on this bill, since I did not prepare written testimony.

1. The issue of recruitment and retention. It is much more attractive for a professional to take a job when they know that one of the benefits is free clinical supervision that will advance them in their career.
2. It is difficult to recruit LPCC qualified folks, in particular.
3. We need to expand behavioral health workforce and remove barriers to practicing in the field.
4. Counseling psychologists are licensed by the ND Board of Psychologist Examiners and may be supervised by clinical psychologists during their training. This is the doctoral training level for the counseling profession. If this is acceptable at the doctoral level in the field of counseling, I am unsure why it is unacceptable at the Master's level.

The issues within the counseling field have been particularly problematic for us, but of course these principles apply to all fields. I would also encourage people not to discount the learning that can occur from someone with 25 + years of experience, even if they do not necessarily have a higher level of education than their supervisee. Thank you very much.

Lisa Peterson, PhD
Clinical Director
North Dakota Dept. of Corrections and Rehabilitation
PO Box 5521
Bismarck, ND 58506
P: (701) 328-6790 F: (701) 328-6152
lapeterson@nd.gov

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SB 2033
Attach #1
4/18

NDLA, Intern 02 - Arendt, Ian

From: NDLA, S HMS - Johnson, Marne
Sent: Wednesday, January 18, 2017 2:37 PM
To: NDLA, Intern 02 - Arendt, Ian
Subject: FW: SB 2033 Feedback

-----Original Message-----

From: Lee, Judy E.
Sent: Sunday, January 15, 2017 6:38 PM
To: -Grp-NDLA Senate Human Services <ndlashumserv@nd.gov>; NDLA, S HMS - Johnson, Marne <shms@nd.gov>; NDLA, Intern 02 - Arendt, Ian <intern2@nd.gov>
Subject: FW: SB 2033 Feedback

Here is a message from Dr. Nevland who presented the recommendation to the interim health services committee of the task force of the boards for counselors of all types.

Senator Judy Lee
1822 Brentwood Court
West Fargo, ND 58078
home phone: 701-282-6512
e-mail: jlee@nd.gov

-----Original Message-----

From: Julijana Nevland [mailto:jnevland@umary.edu]
Sent: Wednesday, January 11, 2017 9:40 PM
To: Lee, Judy E. <jlee@nd.gov>
Subject: Re: SB 2033 Feedback

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Senator Lee,

Unfortunately, I cannot provide much feedback about what occurred during those meetings as Deb Davis was chair of the Addiction Board (at that time), and attended these meetings as our board's representative. I do not recall hearing about any major disagreements among the mental health boards.

I can empathize with Marge Ellefson's Clinical Counseling Board's (NDBCE) frustrations, as they work very hard to serve the public and their intentions are sincere. However, this desire to professionalize the clinical counseling field is hurting new licensees, who are financially penalized due to these unnecessary supervision restrictions. North Dakota is one of only 13 states which mandates that clinical counselors must only be supervised by other clinical counselors (LPC/LPCCs, no exception). The remaining states all allow affiliated mental health providers (e.g., psychologists, social workers, etc.) to provide supervision to clinical counselors. ND is clearly an outlier. I believe the ND board wishes to be a pioneer in this regard; but with only 65-70 clinical supervisor LPCCs in the entire state, this expectation is burdensome and hurting new licensees (but helping those with LPCCs who can now charge \$50-\$100/hour to supervise new graduates who are desperate for supervision, as their livelihood depends on it). As an educator, I feel the system is currently set up to take advantage of new clinical mental health counseling graduates, which is why I feel so strongly about this issue.

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1/18

To their credit, the Clinical Board does allow novice counselors to receive distance supervision (via a HIPPA approved software) and they have published a list of willing LPCC supervisors on their board's page. This is a good step in the right direction but does not address the financial burden of paying for supervision.

One possible way of moving forward with the Clinical Board may be to ask that they identify additional mental health professionals (other than just LPC/LPCC counselors) who would be acceptable in their eyes, as clinical supervisors. Maybe the Clinical Board (for whatever reason) does not feel comfortable with Addiction Counselors or Social Workers performing this task, but there is no conceivable reason why a doctoral level Psychologists would not have the requisite knowledge and experience to provide supervision to a Master's level clinical counselor. Psychologists receive 10+ years of broad and extensive mental health training (above and beyond that of clinical counselors) and should be utilized to provide free supervision and expand our workforce (e.g., Dr. Lisa Peterson provided an excellent example of how she and her Psychology staff could provide this service and employ more counselors in the DOCR system). This could be a potential compromise with the Clinical Board and would expand the clinical supervisor pool immensely. If the Clinical Board rejects this idea, I assure you the reason for that would have everything to do with defending one's professional turf vs. legitimate concern related to supervisor competence.

I apologize for the long winded-message and I hope I was able to provide additional clarification to your question.

Julijana Nevland, PhD, LP
Assistant Professor & Chair, Graduate Counseling University of Mary

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From: Lee, Judy E. <jlee@nd.gov>
Sent: Wednesday, January 11, 2017 8:35 PM
To: Julijana Nevland
Subject: Re: SB 2033 Feedback

If you have any suggestions about how to move forward, I'd be happy to hear them. Was there really that much disagreement among the work group members that Margo Ellenson's board would be so opposed to this?

Senator Judy Lee
1822 Brentwood Court
West Fargo, ND 58078
Phone: 701-282-6512
e-mail: jlee@nd.gov

> On Jan 11, 2017, at 8:22 PM, Julijana Nevland <jnevland@umary.edu> wrote:

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2033
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1/18

>
> Senator Lee,

> I was surprised, as well. It is disheartening to see how territorial the mental health profession has become (speaking as someone with degrees in both counseling and psychology). Collaboration is our only option, if we are to meet the needs of future licensees and our clients. Thank you again for all that you do, on behalf of mental health in ND.

>
> Julijana Nevland, PhD, LP
> Assistant Professor & Chair, Graduate Counseling University of Mary

>
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> cultural needs of the people in our region and beyond.
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>
> _____
> From: Lee, Judy E. <jlee@nd.gov>
> Sent: Wednesday, January 11, 2017 8:14 PM
> To: Julijana Nevland
> Subject: Re: SB 2033 Feedback

>
> Thank you for your support! I was blown away by the objections yesterday after having heard in our interim committee that the bill was supported by all of the boards that were meeting together.

>
>
> Senator Judy Lee
> 1822 Brentwood Court
> West Fargo, ND 58078
> Phone: 701-282-6512
> e-mail: jlee@nd.gov

>
>
>> On Jan 11, 2017, at 6:29 PM, Julijana Nevland <jnevland@umary.edu> wrote:

>>
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>>
>> Senator Lee,

>>
>>
>> Thank you for allowing the mental health boards an opportunity to meet and provide additional feedback re: SB 2033. The North Dakota Board of Addiction Counseling Examiners (NDBACE) held a special meeting this afternoon and

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#1
4/8

voted to fully support this bill, with the below revisions (in blue). We will not impose barriers to approving supervision, from affiliated mental health professionals, provided these individuals are registered as clinical supervisors by their respective boards. This will ensure these individuals have competency in the area of clinical supervision, regardless of whether they are psychologists, clinical counselors, social workers, etc.

>>

>>

>>

>> Section 2:

>>

>> 43-45-05.1 Initial Licensure

>>

>> Lines 14-19

>>

>>

>>

>> "For clinical training program or accumulated experience required {of an intern} for initial licensure, at least fifty percent of required supervision must be provided by a supervising licensed addiction counselor and the additional supervision may be with other professionals designated by the supervising addiction counselor{, approved by the North Dakota Board of Addiction Counseling Examiners,} and competent in the area of practice being supervised. {The designated and approved professional must be registered as a clinical supervisor by his or her respective board.}"

>>

>>

>>

>> I thank you for your support of this important bill. I foresee the greatest benefit to clinical mental health counseling (LAPC) professionals, who often pay for 2+ years of supervision, before obtaining their LPCC license and who can only be supervised by other LPCC supervisors (of which there are only 65-70 in the entire state of ND). I am happy to provide any additional clarification or testimony, when needed.

>>

>>

>>

>> Best,

>>

>> [https://mail.umary.edu/signature/bluelogo.png]<http://www.umary.edu/

>> > Julijana Nevland, PhD, LP Assistant Professor & Chair, Graduate

>> Counseling University of Mary

>>

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>> email<mailto:jnevland@umary.edu>

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Att 1
SB 2033
3-6-17

Mr Chairman, members of the committee:

For the record, my name is Sheila Sandness and I am a Senior Fiscal Analyst for the Legislative Council. I am here to present information on Senate Bill No. 2033 relating to the licensure requirements for behavioral health professionals and to provide for a report to the Legislative Management. I appear neither for nor against the bill, but just to provide information and answer any questions you may have.

Section 1 of 2015 House Bill No. 1048 provided for a report from the Board of Addiction Counseling Examiners, Board of Counselor Examiners, North Dakota Board of Social Work Examiners, State Board of Psychologist Examiners, State Board of Medical Examiners, and North Dakota Marriage and Family Therapy Licensure Board regarding plans for administration and implementation of licensing and reciprocity standards for licensees and any legislative changes necessary to implement those plans.

In addition, Section 4 of 2015 House Bill No. 1049 provided for a report from the Board of Addiction Counseling Examiners regarding the status of the periodic evaluation of initial licensure coursework requirements and clinical training requirements.

The interim Health Services Committee was assigned to receive both of these reports. The committee received these reports and other testimony regarding workforce-related issues, national standards, interstate compacts, reciprocity, training, clinical supervision requirements, internships, and the licensure of behavioral health professionals.

The interim Health Services Committee recommends Senate Bill No. 2033 to provide for clinical supervision of behavioral health professionals by behavioral health professionals outside of their respective professions and to provide for a report to the Legislative Management. The changes allow for a portion of the

supervision to be provided by other behavioral health professionals, similar to the clinical supervision of psychologists.

The bill originally amended sections related to the licensure of clinical social workers, addiction counselors, licensed professional counselors, and marriage and family therapists. For clinical training or accumulated experience required for initial licensure, the bill allows 50 percent of required supervision to be with other professionals designated by the supervising professional and competent in the area of practice being supervised.

Amendments by the Senate removed the section of the bill related to the licensure of addiction counselors because those changes are addressed in Senate Bill No. 2088. The Senate also provided the additional supervised experience may be with other qualified professionals approved or designated by the board if barriers due to geographical location, disability, or other factors determined by the board create a hardship for the applicant. The qualified professional must be registered or otherwise qualified as a clinical supervisor by the board that licenses the other professional.

The interim Health Services Committee's findings and recommendation regarding the behavioral health reports can be found in the "Report of the North Dakota Legislative Management".

That concludes my testimony and I would be happy to answer any questions you may have.

A handwritten signature in dark ink, appearing to be a stylized letter 'A' or 'J' with a flourish.

Att. 2
SB 2033
3-6-17

PROPOSED AMENDMENTS TO ENGROSSED SENATE BILL NO. 2033

Page 1, line 8, overstrike "The board shall issue a license as a licensed independent clinical social worker to an" and insert immediately thereafter "To obtain a license to engage in the practice of clinical social work, an applicant for licensure by examination shall submit a written application to the board in the form prescribed by the board and provide evidence satisfactory to the board the applicant"

Page 1, line 9, overstrike "applicant who"

Page 1, line 10, after "a." insert "Has attained the age of majority.

b."

Page 1, line 10, overstrike "a college or university" and insert immediately thereafter "an approved social work program"

Page 1, line 11, overstrike "b." and insert immediately thereafter "c."

Page 1, line 12, overstrike "c." and insert immediately thereafter "d."

Page 1, line 15, overstrike "licensed independent"

Page 1, line 22, overstrike "licensed"

Page 1, line 23, overstrike "certified" and insert immediately thereafter "master's"

Page 2, line 2, after the period insert "The applicant may demonstrate to the board's satisfaction that experience in the practice of clinical social work meets or exceeds the minimum supervisory requirements of the board.

Page 2, line 3, overstrike "d." and insert immediately after "e."

Page 2, after line 4, insert:

"f. Is of good moral character. As an element of good moral character, the board shall consider the information obtained through reports made under section 43-41-04.2 in licensure decisions to the extent permissible by all applicable laws.

g. Has paid all applicable fees specified by the board relative to the licensure process."

Renumber accordingly

Att. 1
SB2033
3/20/17

PROPOSED AMENDMENTS TO ENGROSSED SENATE BILL NO. 2033

Page 1, line 8, overstrike "The board shall issue a license as a licensed independent clinical social worker to an" and insert immediately thereafter "To obtain a license to engage in the practice of clinical social work, an applicant for licensure by examination shall submit a written application to the board in the form prescribed by the board and provide evidence satisfactory to the board the applicant"

Page 1, line 9, overstrike "applicant who"

Page 1, line 10, after "a." insert "Has attained the age of majority.

b."

Page 1, line 10, overstrike "a college or university" and insert immediately thereafter "an approved social work program"

Page 1, line 11, overstrike "b." and insert immediately thereafter "c."

Page 1, line 12, overstrike "c." and insert immediately thereafter "d."

Page 1, line 15, overstrike "licensed independent"

Page 1, line 22, overstrike "licensed"

Page 1, line 23, overstrike "certified" and insert immediately thereafter "master's"

Page 2, line 2, after the period insert "The applicant may demonstrate to the board's satisfaction that experience in the practice of clinical social work meets or exceeds the minimum supervisory requirements of the board.

Page 2, line 3, overstrike "d." and insert immediately after "e."

Page 2, after line 4, insert:

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g. Has paid all applicable fees specified by the board relative to the licensure process."

Renumber accordingly

SB 2033
1
4/5
Pg. 1

PROPOSED AMENDMENTS TO ENGROSSED SENATE BILL NO. 2033

Page 1, line 1, replace the second "section" with "sections 43-41-07 and"

Page 1, line 8, remove the overstrike over "~~The board shall issue~~"

Page 1, line 8, remove "To obtain"

Page 1, line 8, remove the overstrike over "~~as a licensed independent~~"

Page 1, line 8, remove "to practice"

Page 1, line 9, remove the overstrike over "~~worker to~~"

Page 1, line 9, remove "work,"

Page 1, line 9, remove "applicant for licensure by examination shall submit to the"

Page 1, remove line 10

Page 1, line 11, remove "evidence the"

Page 1, line 11, remove the overstrike over "~~who~~"

Page 1, line 12, remove the overstrike over "~~a college or university~~"

Page 1, line 12, remove "an"

Page 1, line 13, remove "approved social work program"

Page 1, line 18, remove the overstrike over "~~licensed independent~~"

Page 2, line 1, remove the overstrike over "~~licensed~~"

Page 2, line 2, remove the overstrike over "~~certified~~"

Page 2, line 2, remove "master's"

Page 2, remove lines 9 through 12

Page 4, after line 24 insert:

"SECTION 5. AMENDMENT. Section 43-41-07 of the North Dakota Century Code is amended and reenacted as follows:

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#1
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Pg. 2

43-41-07. Qualification for licensure by an applicant licensed in another jurisdiction.

An applicant may be granted a license upon satisfactory proof to the board that the applicant is licensed in good standing under the laws of another jurisdiction that imposes substantially the same requirements as this chapter. An applicant licensed in good standing under the laws of another jurisdiction may be granted a license if the board determines the applicant possesses qualifications or experience in the practice of social work at the time of application for licensure under this chapter which are substantially similar to the minimum requirements for licensure of the board. The applicant must pay the licensure fees specified by the board."

Renumber accordingly

SB 2033
#2
4/5

Rohr, Karen M.

From: Heidi J. Nieuwsma
Sent: Wednesday, April 5, 2017 2:56 PM
To: Tyler, John H.; Weisz, Robin L.; Rohr, Karen M.; Rust, David S.
Subject: RE: SB 2033 amendments

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It looks good on my end.

Thank you.

Heidi J. Nieuwsma, MSW, LICSW
Behavioral Sciences Chair
Social Work Program Director/Assistant Professor
University of Mary
7500 University Drive
Bismarck, ND 58504
701-355-8031
hjnieuwsma@umary.edu

From: Tyler, John H. [mailto:jtyler@nd.gov]
Sent: Wednesday, April 05, 2017 2:52 PM
To: Weisz, Robin L. <rweisz@nd.gov>; Rohr, Karen M. <kmrohr@nd.gov>; Rust, David S. <drust@nd.gov>; Heidi J. Nieuwsma <hjnieuwsma@umary.edu>
Subject: RE: SB 2033 amendments

Hello all,

I've attached a pdf of the proposed amendment to Senate Bill 2033. The changes on the first page of the amendment are to correct licensure designations since the rest of SB 2293 has gone away. The change to reciprocity is on the second page of the amendment. Heidi and Senator Rust, let me know if there is anything you see that needs to be corrected.

Let me know if there is anything else I can do. Thank you for your time and consideration,

John

John H. Tyler
Assistant Attorney General
North Dakota Office of Attorney General
600 East Boulevard Avenue, Bismarck ND 58505
Office: (701).328.2210 | Fax: (701).328.2226
jtyler@nd.gov

From: Tyler, John H.
Sent: Wednesday, April 05, 2017 11:04 AM
To: Rust, David S.; Heidi Nieuwsma
Subject: SB 2033 amendments

Hello Senator Rust and Heidi,

I've attached a pdf of the proposed amendment to Senate Bill 2033. The changes on the first page of the amendment are needed because the licensure designations aren't changing any more: the wording needs to be changed back to how it was before in these lines. The new change regarding reciprocity is in the second page of the amendment. The amendment should be read in conjunction with the latest version of SB 2033 which I've also attached.

Let me know if you have any comments or concerns. I'm hoping to send this to Chairman Weisz and Representative Rohr right after lunch so they have time to look at it before their meeting this afternoon if possible. If you could get back to me by or around 1:00 that would be great.

Thanks,
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