

ARTICLE 4.5-02.1

ADDICTION COUNSELING EXAMINERS LICENSURE

Chapter

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CHAPTER 4.5-02.1-01

INITIAL LICENSURE AND FEES

Section

4.5-02.1-01-01 Definitions [Repealed]

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4.5-02.1-01-01. Definitions. Repealed effective January 1, 2008.

4.5-02.1-01-02. Licensure application. An application for a license to practice addiction counseling must be made to the state board of addiction counseling examiners on forms approved by the board. Each application for license must be accompanied by all of the following:

1. The required fee.
2. An official transcript verifying academic requirements and degree.
3. An official document verifying clinical training completion.
4. Documentation verifying a passing score on board-approved examinations.

History: Effective January 1, 2002.

General Authority: NDCC 43-45-04

Law Implemented: NDCC 43-45-04, 43-45-05.1

4.5-02.1-01-03. Academic requirements. Academic requirements related to the licensing of addiction counselors must be completed at an ~~accredited~~ a college or university accredited by one of six regional institutional accreditors in the United States. ~~A bachelor's degree in addiction studies or a closely related social science or health care field is required. A minimum of thirty-two total credit hours in addiction studies is required. The thirty-two credit hours must include academic course content in all of the following areas:~~

~~1. Practice:~~

~~a. Curriculum content:~~

~~(1) Treatment methods and models.~~

~~(2) Interviewing process, skills, and techniques.~~

~~(3) Individual and group counseling.~~

~~(4) Assessment and diagnosis models, including current diagnostic manual of the American psychiatric association including substance-related disorders and cooccurring mental illness.~~

~~(5) Testing instruments.~~

~~(6) Intervention approaches for individuals, groups, and families.~~

~~(7) Documentation, report writing, and recordkeeping.~~

~~(8) Verbal communication skills.~~

~~(9) Counselor skill groups effective May 1, 2009.~~

~~(10) American society of addiction medicine patient placement criteria effective May 1, 2009.~~

~~b. Examples of courses with such content:~~

~~(1) Introduction to individual counseling.~~

~~(2) Introduction to group counseling.~~

~~(3) Advanced counseling.~~

~~(4) Theories in practice of psychotherapy.~~

~~2. Ethics.~~

~~a. Curriculum content.~~

~~(1) Professional competence and standards.~~

~~(2) Values and societal obligations.~~

~~(3) Ethics and codes of conduct for professionals.~~

~~(4) Ethical decisionmaking.~~

~~(5) Malpractice and liability.~~

~~(6) Legal aspects of practice.~~

~~(7) Federal and state regulations.~~

~~b. Examples of courses with such content include professional ethics.~~

~~3. Theory.~~

~~a. Curriculum content.~~

~~(1) Human development, tasks, and issues across lifespan.~~

~~(2) Family functioning, family types, and addiction in families.~~

~~(3) Group dynamics and group process.~~

~~(4) Psychopathology, mental health, and mental illness in childhood, adolescence, and adulthood.~~

~~(5) Dynamics of addiction.~~

~~(6) Substance-related disorders.~~

~~(7) Pharmacology and human biology.~~

~~(8) Autoimmune deficiency syndrome and human immunodeficiency virus.~~

~~(9) Alcoholics anonymous, the twelve steps, and twelve steps support group.~~

~~(10) Social and cultural theory.~~

~~(11) Communication process and theory.~~

~~b. Examples of courses with such content:~~

~~(1) Marriage and the family.~~

~~(2) Psychopathology.~~

~~(3) Pharmacology.~~

~~(4) Theories of personality.~~

~~(5) Dynamics of addiction.~~

~~(6) Child psychology and development.~~

~~(7) Adolescent psychology and development.~~

~~(8) Adult psychology and development.~~

~~(9) Cultural competence or cultural minorities.~~

An applicant for licensure shall have at least one of the following:

1. A bachelor's, master's, or doctorate degree in addiction studies from a program accredited by the national addiction studies accreditation committee, the international coalition for addiction studies education accreditation, or counsel for accreditation of counseling and related educational programs for addiction counseling, or
2. A bachelor's, master's, or doctorate degree in addiction studies or a closely related social science or health care field and a minimum of thirty-two total credit hours in addiction studies is required. The thirty-two credit hours must include academic course content in all of the following areas:
 - a. A minimum of three credits covering theory and techniques of treatment with all of the following content:
 - (1.)Evidence based treatment methods and models including those specific to addiction.
 - (2.)Assessment and diagnosis models based upon the current

diagnostic and statistical manual of the American psychiatric association including substance-related disorders.

(3.)Most current American society of addiction medicine patient criteria.

(4.)Interviewing process, skills, and techniques.

(5.)Individual counseling skills.

(6.)Testing instruments.

(7.)Documentation, report writing, and record keeping.

(8.)Verbal communication skills.

b. A minimum of three credits covering group counseling skills.

c. A minimum of three credits covering psychopharmacology.

d. A minimum of three credits covering dynamics of addiction with all the following content:

(1.)Historical perspective of models of addiction.

(2.)Community support and self help for people with substance disorders.

(3.)Contagious diseases related to substance use.

e. A minimum of three credits covering co-occurring disorders with

all the following content:

(1.)Assessment and diagnosis models of substance related disorders and co-occurring mental illnesses based upon the current diagnostic and statistical manual of the American psychiatric association.

(2.)Psychopathology, mental health, and mental illness in childhood, adolescence, and adulthood.

f. A minimum of two credits covering professional ethics with all the following content:

(1.)Professional competence and standards.

(2.)Values and societal obligations.

(3.)Ethics and codes of conduct for professionals.

(4.)Ethical decision making.

(5.)Malpractice and liability.

(6.)Federal and state regulations governing addiction counseling.

g. A minimum of three credits covering development through the entire life span.

h. A minimum of three credits covering family systems with all the following content:

(1.)Family functioning.

(2.)Family types.

(3.)Addiction in families.

- i. A minimum of three credits covering multi-cultural diversity or cultural competence related to counseling.

History: Effective January 1, 2002; amended effective January 1, 2008; _____, 2013.

General Authority: NDCC 43-45-04

Law Implemented: NDCC 43-45-04, 43-45-05.1

4.5-02.1-01-04. Clinical training requirements. The completion of one thousand four hundred hours in a clinical training program approved by the board is required for licensure. The trainee's registration and successful completion of the clinical training program must be verified in writing with the board by the ~~clinical supervisor or~~ clinical training program director.

1. Qualifications. To be eligible for registration as a clinical trainee, the following must be met:
 - a. All core academic coursework must be completed, with the exception that two required curriculum addiction courses may be completed while registered as a clinical trainee.
 - b. Acceptance in a board-approved addiction counseling clinical training program or a board-approved individualized clinical training plan supervised by a board-approved clinical training program.

2. Registration. Clinical training program ~~operators~~ directors requesting to register their clinical trainees shall make formal application to the board documenting their clinical trainees above qualifications.
3. Expiration. An individual's clinical trainee registration expires after two years. The clinical training period may be extended due to clinical training program directors' recommendations, individual circumstance, health circumstances, or other personal matters. Extension of the clinical portion of training is the responsibility of the ~~clinical supervisor or~~ clinical training program director.
4. Applicants who complete clinical training not approved by the board must demonstrate that the clinical training completed was substantially equivalent to that required by North Dakota Century Code chapter 43-45 and article 4.5-02.1.
5. One year of direct clinical counseling experience as a licensed mental health professional or addiction counselor is equivalent to one hundred fifty hours of clinical training. If the applicant is a licensed mental health professional other than an addiction counselor, a maximum of nine hundred hours of clinical training can be accepted for applicants with direct clinical counseling experience. The remaining five hundred hours of clinical training must include training in American society of addiction medicine; patient ~~placement~~ criteria, current diagnostic and statistical manual, and the counselor ~~skill groups~~ domains. The hours in each area will be determined by the clinical training program where the trainee is registered. For the purposes of this subsection, mental health professional is defined as in North Dakota Century Code section 25-03.1-02.

History: Effective January 1, 2002; amended effective April 1, 2009; _____, 2013.

General Authority: NDCC 43-45-04

Law Implemented: NDCC 43-45-01, 43-45-04, 43-45-05.1

4.5-02.1-01-05. Examination. The applicant must pass the written examination ~~offered as of June 2008, or as later revised by the international certification and reciprocity consortium~~ as approved by the board. The written examination may be taken when offered anytime after the completion of the required academic coursework.

History: Effective January 1, 2002; amended effective April 1, 2009; _____, 2013.

General Authority: NDCC 43-45-04

Law Implemented: NDCC 43-45-04, 43-45-05.1

4.5-02.1-01-06. Reciprocity. Repealed effective January 1, 2008.

4.5-02.1-01-06.1. Reciprocity. For the purposes of reciprocity as set forth in subsection 2 of North Dakota Century Code section 43-45-05.1, a requirement of at least one thousand four hundred hours of supervised experience as an addiction counselor is at least substantially the same as the clinical training requirements in section 4.5-02.1-01-04.

History: Effective April 1, 2009.

General Authority: NDCC 43-45-04

Law Implemented: NDCC 43-45-04, 43-45-05.1

4.5-02.1-01-07. Fees. The board has adopted the following non-refundable fee payment schedule:

1. Initial license fee:

a. Application for license received on or after January first of the even-numbered year and before July first of the even-numbered year	\$250.00 <u>\$300.00</u>
b. Application for license received on or after July first of the even-numbered year and before January first of the odd-numbered year	\$200.00 <u>\$250.00</u>
c. Application for license received on or after January first of the odd-numbered year and before July first of the odd-numbered year	\$150.00
d. Application for license received on or after July first of the odd-numbered year and before January first of the even-numbered year	\$100.00
2. Biennial renewal of license fee	\$200.00 <u>\$300.00</u>
3. Private practice initial fee	\$100.00 <u>\$150.00</u>
4. Late fee	\$100.00
5. Annual continuing education provider approval fee	\$100.00
6. Provider continuing education program approval fee	\$35.00
7. Fee for mailing list	\$20.00
8. Written examination fee is the national testing agency fee plus an additional board administrative fee of forty dollars.	

History: Effective January 1, 2002; amended effective January 1, 2008; April 1, 2009; _____, 2013.

General Authority: NDCC 43-45-04

Law Implemented: NDCC 43-45-04, 43-45-07

CHAPTER 4.5-02.1-02 CONTINUING EDUCATION

Section

4.5-02.1-02-01 Licensure Renewal [Repealed]

4.5-02.1-02-02 Continuing Education

4.5-02.1-02-03 Address and Name Changes

4.5-02.1-02-01. Licensure renewal. Repealed effective January 1, 2008.

4.5-02.1-02-02. Continuing education.

1. Continuing education credit is an award given to a participant at a workshop or seminar. All licensed addiction counselors are required to complete forty hours of continuing education for the two-year licensing period to maintain licensure in North Dakota.
 - a. Twenty approved continuing education hours are required if an addiction counselor is initially licensed between January first and June thirtieth of the odd-numbered year.
 - b. No continuing education hours are required if an addiction counselor is initially licensed on or after July first of an odd-numbered year.

- c. Continuing education hours cannot be earned until after the license effective date and only within the current licensing period ~~except hours earned after December 31, 2005, and before January 1, 2008, may be used to meet the continuing education requirement for the period ending December 31, 2009.~~
- d. Continuing education hours may only be applied to one licensing period.

2. Any continuing education program to be used for addiction counseling or supervision of clinical practice continuing education units is subject to board approval, except continuing education programs sponsored or approved by the National association for alcoholism and drug abuse counselors, substance abuse and mental health services administration, the addiction technology transfer centers, the North Dakota addiction counselor's association, or any other scientific or professional organization whose continuing education program is clearly relevant to the practice of addiction counseling. Other programs may be approved at any time by the board by submission of an application.

23. All persons wishing approval must submit a request to the licensing board for approval of continuing education credits. Continuing education, workshops, webinars, and seminars must:

- a. Be related to the practice of addiction counseling, behavioral mental health, or best practice techniques.
- b. Have the potential to increase the licensee's proficiency in addiction counseling.

4. At the end of the two-year reporting cycle, each licensee or registrant shall submit a signed statement on a form provided by the board attesting to satisfaction of the continuing education requirement. The licensee or registrant shall list the activities submitted for continuing education credit and the amount of credit claimed for each one and the date for each session.
5. The licensee or registrant may not submit the specific verification of each continuing education experience claimed, but must maintain a file of such verification documentation for two years following the submission of the reporting form.
6. At each reporting period, the board will select a random sample of approximately ten percent of the licensees and registrants and require them to provide verification of the continuing education experiences claimed on the reporting form.
- 3.7. Ten of the forty continuing education hours for clinical supervisors must contain materials related to clinical supervision techniques and skills, with documentation verifying the content submitted to the board.
- 4.8. An approved provider is an entity or an individual approved by the board to provide continuing education without the need for prior board review on a program by program basis. Requirements to obtain and maintain status as an approved provider are as follows:
- a. Completed application.
 - b. Application fee.

- c. Provider must ensure all programs offered contain a course outline, learning objectives, and an evaluation of the learning outcome of participants, and provide these documents to the board upon request.
- d. ~~Provider must report the participants' completion of programs to the board within thirty days from the date of the program presentation~~ provide certificate of completion to participants. Failure to do so may result in the loss of approved provider status.
- e. Complaints against providers may be investigated by the board and may result in removal of provider approval status.
- f. Provider must renew the approval annually.

5.9. An approved program is one specific program, with defined continuing education contact hours, approved by the board. Requirements to obtain and maintain program approval status are as follows:

- a. Completed application.
- b. Application fee.
- c. ~~Program sponsor~~ Program must ensure the program offered contains a course outline, learning objectives, and an evaluation of the learning outcome of participants and provide these documents to the board upon request.
- d. ~~Program sponsor must report participants' completion of the program to the board within thirty days from the date of the~~

~~program presentation.~~

e.d. Program approval must be approved annually.

History: Effective January 1, 2002; amended effective January 1, 2008; _____, 2013.

General Authority: NDCC 43-45-04

Law Implemented: NDCC 43-45-04, 43-45-07

4.5-02.1-02-03. Address and name changes. Any licensee must report a change of address or name to the board in writing within thirty days of change.

History: Effective January 1, 2002; _____, 2013.

General Authority: NDCC 43-45-04

Law Implemented: NDCC 43-45-04, 43-45-07

CHAPTER 4.5-02.1-03

CLINICAL TRAINING

Section

4.5-02.1-03-01 Clinical Training Program

4.5-02.1-03-02 Internship Registration

4.5-02.1-03-01. Clinical training program. Each clinical training program for addiction counseling must be approved biennially by the board of addiction counseling examiners. ~~An approved clinical training program must file a designated application form by October first of even-numbered years with the board and must meet the following conditions:~~

1. Facility requirements:

- a. Training experiences must occur in at least two separate licensed treatment facilities with a minimum of three months in each facility, unless specifically approved by the board.
- b. Each program may establish the length of its clinical training program, with a one thousand four hundred-hour minimum requirement.
- c. Documentation must include:
 - (1) Evidence of licensure of each addiction treatment facility.
 - (2) Training program manual which includes policies and procedures, including an organizational chart, which reflects clinical training program director, training facilities and facility supervisors and admission policies.
 - (3) Training program goals and objectives for each clinical component of the training site.
 - (4) Trainee handbook ~~and guidelines~~, which should including include trainee grievance procedure.
 - (5) Evidence of clinical supervisor at each treatment facility.
 - (6) Must notify board of any substantial changes that impact the provision of adequate training which includes the addition or loss of training facility sites or loss of clinical training program director.

2. Training requirements:

- a. Each clinical training program shall conduct an oral examination using a performance-based case history and interview document successful passing of the exam by the trainee.

- b. At the conclusion of a completed training program experience for a trainee, the training program must provide documentation of the provision of fifty hours of supervision with a minimum of thirty hours of ~~direct supervision~~ visual observation by a clinical supervisor in each of the required clinical areas with the exception of documentation. Documentation must have thirty hours of reviewing the notes and discussing notes with the trainee. This will occur by each training program forwarding the trainee completion form, a copy of the trainee's final monthly performance review, and verification of completion of an oral examination. The required clinical areas are:
 - (1) Screening, assessment, and treatment planning.

 - (2) Counseling services.

 - (3) Service coordination, case management, and referral services.

 - (4) Documentation, reading through notes, reviewing assessments.

 - (5) Multicultural counseling, education, and professional ethics.

- c. ~~Direct supervision occurs in session with clients, viewing or listening to videotape or audiotape, or verbatim report of a session.~~

d.c. Indirect supervision occurs when discussing process and procedure as it relates to the five required clinical areas. This may occur in education and ongoing supervision meetings with a clinical supervisor.

3. Clinical training supervision requirements:

- a. Clinical supervision must be provided by a board-registered clinical supervisor.
- b. Clinical training programs must have one clinical supervisor for each individual clinical trainee.

4. Individual clinical training ~~programs~~ plans may must be board-approved ~~when~~ after they are submitted by and under the auspices of an approved clinical training program prior to the plan being implemented. Each plan must:

- a. Designate the board-registered clinical supervisor responsible for clinical training.
- b. Provide additional information as requested by the board.

5. Should a clinical training program at any time not meet board standards or not be in compliance with ethical expectations, it may result in board revocation of clinical training program approval.

6. Training program documentation requirements. All files of trainees must show proof of the following:

- a. Proof of registration.

- b. Monthly evaluations which include verification of trainee hours, signed by clinical supervisor.
- c. Self-evaluation of trainee at completion of training for each site, including evaluation of site and clinical supervisor.
- d. Successful completion of a performance based case history and evidence of oral examination.
- e. Proof of completion of training.

History: Effective January 1, 2002; amended effective April 1, 2009; _____, 2013.

General Authority: NDCC 43-45-04

Law Implemented: NDCC 43-45-04, 43-45-05.1

4.5-02.1-03-02. Internship registration. The internship is the practice of addiction counseling, under the supervision of a board-registered clinical supervisor, after the academic and clinical training program requirements are met. An intern will become licensed when application criteria are met and examinations are passed. The intern's supervision must be verified in writing to the board by signature of the onsite clinical supervisor.

1. **Qualifications.** To be eligible for registration as an intern, the following must be met:
 - a. All core academic coursework has been completed.
 - b. All clinical training program requirements have been board-approved.

2. **Registration.** An individual requesting to be registered as an intern shall make formal application to the board documenting the applicant's qualifications as required by this section.

3. **Expiration.** An individual may remain an intern for a maximum of two thousand hours. Upon showing of good cause the board, by special provision, may extend internship status for longer than one year. Request for extension of the internship registration period with documentation of need by clinical supervisor is the responsibility of the intern.

History: Effective January 1, 2002; amended effective January 1, 2008; April 1, 2009.

General Authority: NDCC 43-45-04

Law Implemented: NDCC 43-45-01, 43-45-04, 43-45-05.1

CHAPTER 4.5-02.1-04 SPECIALIZED REGISTRATION

Section

- 4.5-02.1-04-01 Activities Constituting the Private Practice of Addiction
Counseling
- 4.5-02.1-04-02 Application for Private Practice Registration
- 4.5-02.1-04-03 Application for Private Practice Registration Renewal
[Repealed]
- 4.5-02.1-04-04 Application for Clinical Supervision Registration

4.5-02.1-04-01. Activities constituting the private practice of addiction

counseling.

1. A private practitioner of addiction counseling is one who, on either a full-time or part-time basis, is responsible for that person's own practice, exercises sole responsibility for the client, establishes payment of fees with clients, and identifies that the person is an addiction counselor in offering service.
2. Services that are provided by all addiction counselors are not considered to constitute private practice unless those services are provided independent of any supervising or sponsoring organization, or are provided within a private agency framework in which the addiction counselor is a partner or shareholder, and a fee is collected from or on behalf of the client. Consultative or educational services provided to an organization, agency, classroom, or workshop are not considered to be the private practice of addiction counseling.

History: Effective January 1, 2002.

General Authority: NDCC 43-45-04

Law Implemented: NDCC 43-45-01, 43-45-04, 43-45-05.3

4.5-02.1-04-02. Application for private practice registration.

1. **Qualifications.** To be eligible for registration to provide private practice, a licensed addiction counselor must have ~~five years~~ ten thousand hours of full-time clinical experience as a licensed addiction counselor or a master's degree in a closely related social science or health care field with ~~two years~~ four thousand hours of post-master's clinical experience as a licensed addiction counselor.
2. **Registration.** Individuals requesting to be registered for private

practice shall make a formal application to the board. This application must include:

- a. Documentation of ~~five years~~ ten thousand hours of full-time clinical experience as a licensed addiction counselor or a master's degree and ~~two years~~ four thousand hours of post-master's clinical experience as a licensed addiction counselor.
- b. Registration fee.

History: Effective January 1, 2002; amended effective April 1, 2009.

General Authority: NDCC 43-45-04

Law Implemented: NDCC 43-45-04, 43-45-05.3

4.5-02.1-04-03. Application for private practice registration renewal.

Repealed effective April 1, 2009.

4.5-02.1-04-04. Application for clinical supervision registration.

1. Qualifications. To be eligible for registration to provide clinical supervision, the following must be met:
 - a. Licensure as an addiction counselor.
 - b. A minimum of three years and a total of six thousand hours supervised experience as a licensed addiction counselor.
 - c. Twenty hours of continuing education contact hours in clinical supervision completed.
 - d. Letters of reference and recommendation from two

board-registered clinical supervisors.

2. Registration. Individuals requesting registration for clinical supervision shall make formal application to the board documenting their above qualifications.
3. Individuals choosing to continue their clinical supervisor registration must submit ~~the required documentation~~ a signed statement on a form provided by the board verifying ten hours of clinical supervision-related coursework within the two-year continuing education cycle in order to maintain clinical supervisor status. If requested by the board, individuals must provide documentation of the continuing education coursework.

History: Effective January 1, 2002; amended effective January 1, 2008.

General Authority: NDCC 43-45-04

Law Implemented: NDCC 43-45-01, 43-45-04, 43-45-06

CHAPTER 4.5-02.1-05 PROFESSIONAL CONDUCT

Section

4.5-02.1-05-01 Code of Ethics

4.5-02.1-05-02 Ethics Subcommittee

4.5-02.1-05-03 Complaint Procedure

4.5-02.1-05-04 Notification of Action Against License

4.5-02.1-05-01. Code of ethics. A licensed addiction counselor and

anyone under licensed addiction counselor supervision shall conduct the person's professional practice in conformity with the national association of alcoholism and drug abuse counselors code of ethics, as revised ~~December 8, 2004~~ March 28, 2011.

History: Effective January 1, 2002; amended effective January 1, 2008; , 2013.

General Authority: NDCC 43-45-04

Law Implemented: NDCC 43-45-04, 43-45-07.1

4.5-02.1-05-02. Ethics subcommittee. An ethics subcommittee may be established to review and make recommendations to the board of examiners on whether to initiate a formal disciplinary action. Members of the ethics subcommittee shall ~~consist of three~~ be board members chosen by the chairperson and confirmed by the board.

History: Effective January 1, 2002.

General Authority: NDCC 43-45-04

Law Implemented: NDCC 43-45-04, 43-45-07.3

4.5-02.1-05-03. Complaint procedure.

1. Upon filing of a written and signed complaint alleging a licensee engaged in conduct identified as grounds for disciplinary action under North Dakota Century Code section 43-45-07.1, the board shall notify the licensee of the complaint and require a written response from the licensee.
2. The board may direct the ethics subcommittee or a board member to investigate the complaint. After completing the investigation, the ethics

subcommittee or board member will recommend whether the board should take disciplinary action against the licensee.

3. The board shall determine if there is a reasonable basis to believe the licensee engaged in conduct identified as grounds for disciplinary action under North Dakota Century Code section 43-45-07.1. If the board determines there is not a reasonable basis to believe, the board will notify the complainant and the licensee. If the board determines there is a reasonable basis to believe, the board will proceed with a disciplinary action in accordance with North Dakota Century Code chapter 28-32.
4. The board, at any time, may offer or accept a proposal for informal resolution of the complaint or disciplinary action.
5. The board may impose a fee on the licensee for all or part of the costs of an action resulting in discipline, including administrative costs, investigation costs, attorney's fees, witness fees, the cost of the office of administrative hearings' services, and court costs.

History: Effective January 1, 2002.

General Authority: NDCC 43-45-04

Law Implemented: NDCC 43-45-04, 43-45-07.3

4.5-02.1-05-04. Notification of action against license. When the board revokes a license, the board shall provide a public notice of such action in order to further the cause of consumer protection. Such public notice shall specify the name of the licensee, action taken, and the violations. Public notice must include notification of the known licensee's employers, and a news release issued to a regional newspaper chosen by the board.

History: Effective January 1, 2002; amended effective January 1, 2008.

General Authority: NDCC 43-45-04

Law Implemented: NDCC 43-45-04, 43-45-07.1