

Introduced by

Legislative Management

(Human Services Committee)

1 A BILL ~~for an Act to amend and reenact subsection 10 of section 25-03.1-02 and section~~
2 ~~32-03-48 of the North Dakota Century Code, relating to inclusion of marriage and family~~
3 ~~therapists in definitions of mental health professionals.~~ for an Act to provide for a department of
4 human services study and report to the legislative management regarding statutory references
5 to mental health professionals.

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

7 ~~—~~ **SECTION 1. AMENDMENT.** ~~Subsection 10 of section 25-03.1-02 of the North Dakota~~
8 ~~Century Code is amended and reenacted as follows:~~

9 ~~—10.—~~ "Mental health professional" means:

10 ~~—~~ a. ~~A psychologist with at least a master's degree who has been either licensed or~~
11 ~~approved for exemption by the North Dakota board of psychology examiners.~~

12 ~~—~~ b. ~~A social worker with a master's degree in social work from an accredited~~
13 ~~program.~~

14 ~~—~~ c. ~~A registered nurse with a master's degree in psychiatric and mental health~~
15 ~~nursing from an accredited program.~~

16 ~~—~~ d. ~~A registered nurse with a minimum of two years of psychiatric clinical experience~~
17 ~~under the supervision of a registered nurse as defined by subdivision c or of an~~
18 ~~expert examiner.~~

19 ~~—~~ e. ~~A licensed addiction counselor.~~

20 ~~—~~ f. ~~A licensed professional counselor with a master's degree in counseling from an~~
21 ~~accredited program who has either successfully completed the advanced training~~
22 ~~beyond the master's degree as required by the national academy of mental~~
23 ~~health counselors or a minimum of two years of clinical experience in a mental~~
24 ~~health agency or setting under the supervision of a psychiatrist or psychologist.~~

1 ~~g. A licensed marriage and family therapist.~~

2 ~~SECTION 2. AMENDMENT. Section 32-03-48 of the North Dakota Century Code is~~
3 ~~amended and reenacted as follows:~~

4 ~~32-03-48. Definitions.~~

5 ~~As used in sections 32-03-48 through 32-03-50, unless the context otherwise requires:~~

6 ~~1. "Critical incident" means any event encountered by emergency service personnel~~
7 ~~within the scope of their employment which causes them to experience unusually~~
8 ~~strong emotional reactions that have the potential to interfere with their ability to~~
9 ~~perform their jobs or that may interfere with their personal lives.~~

10 ~~2. "Critical incident stress debriefing" means the process of resolving the effects of~~
11 ~~critical incidents on emergency service personnel through a structured meeting with~~
12 ~~both psychological and educational components according to the model approved by~~
13 ~~the state department of health.~~

14 ~~3. "Critical incident stress management team" means those volunteers who are~~
15 ~~recognized by the state department of health as members of an organized group that~~
16 ~~provides critical incident stress debriefing services on behalf of the state.~~

17 ~~4. "Emergency service personnel" means individuals who provide emergency services to~~
18 ~~persons requiring medical aid, firefighting services, law enforcement assistance, or~~
19 ~~other emergency assistance. The term includes law enforcement officers, firefighters,~~
20 ~~rescue personnel, ambulance personnel, quick response personnel, emergency~~
21 ~~service dispatchers, nurses, physicians, and other emergency care providers.~~

22 ~~5. "Mental health personnel" means psychiatrists, licensed psychologists, licensed social~~
23 ~~workers, licensed mental health counselors, nurses, members of the clergy, licensed~~
24 ~~marriage and family therapists, and other individuals approved by the state~~
25 ~~department of health to function as members of a critical incident stress management~~
26 ~~team, who have completed appropriate training as approved by the department.~~

27 ~~6. "Peer support personnel" means those members of a critical incident stress~~
28 ~~management team who are emergency service personnel and who have completed~~
29 ~~appropriate training approved by the state department of health.~~

30 **SECTION 1. STATUTORY REFERENCES TO MENTAL HEALTH PROFESSIONALS -**
31 **REPORT TO LEGISLATIVE MANAGEMENT.** During the 2015-16 interim, the department of

1 human services, in consultation with the state department of health and other stakeholders,
2 shall study statutory references to mental health professionals to determine whether changes in
3 the law may help to more fully utilize these professionals within their scope of practice, as it
4 relates to the responsibilities of the department of human services to provide services or license
5 facilities. In addition, the department of human services shall study statutory language and
6 report recommended changes in alignment with the most current professional standard or with
7 most current diagnostic and statistical manual. Before August 1, 2016, the department of human
8 services shall report to the legislative management the outcome of the study together with any
9 recommendations.