

**2025 SENATE INDUSTRY AND BUSINESS**

**SB 2071**

# 2025 SENATE STANDING COMMITTEE MINUTES

## Industry and Business Committee Fort Union Room, State Capitol

SB 2071  
1/8/2025

Relating to duties and responsibilities of the Board of Counselor Examiners
-----------------------------------------------------------------------------

1:15 p.m. Chairman Barta called the meeting to order.

Members Present: Chairman Barta, Vice Chairman Boehm, Senators Enget, Kessel, Klein.

### Discussion Topics:

- BCE duties and responsibilities
- Duplicate licenser cost
- Technology services cost
- Necessary rules for provisions

1:15 p.m. Chairman Barta introduced the bill.

1:16 p.m. Terri Effertz, ESM, testified in a neutral position.

1:30 p.m. Chairman Barta adjourned the meeting.

*Joan Bares, Committee Clerk for Audrey Oswald*

# 2025 SENATE STANDING COMMITTEE MINUTES

## Industry and Business Committee Fort Union Room, State Capitol

SB 2071  
1/14/2025

A bill relating to the duties and responsibilities of the board of counselor examiners.
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10:00 a.m. Chairman Barta reconvened the meeting.

Members present: Chairman Barta, Vice-Chairman Boehm, Senator Klein, Senator Kessel, Senator Enget

### Discussion Topics:

- Duplicate license fee
- Technology fee
- Fiscal amounts
- Initial setup fees for software
- Separate boards and various licenses
- Appropriation concerns
- Counseling Compact
- Necessary database
- Preferred vendors

10:01 a.m. Matthew Menge, Assistant Attorney General, testified in favor of SB 2071.

10:03 a.m. Erin Grahm, Chair of the North Dakota Board of Counselor Examiners, testified in favor of SB 2071 and submitted testimony #28353.

10:17 a.m. Matthew Menge, Assistant Attorney General, testified in neutral on SB 2071.

10:19 a.m. Terry Effertz, Attorney at Effertz Law, testified in neutral on SB 2071.

10:32 a.m. Mathew Menge, Assistant Attorney General, testified in neutral on SB 2071.

10:36 a.m. Erin Grahm, Chair of the North Dakota Board of Counselor Examiners, testified in neutral on SB 2071.

10:39 a.m. Chairman Barta closed the hearing on SB 2071.

*Audrey Oswald, Committee Clerk*

Date: January 9<sup>th</sup>, 2025

To: Senate Industry & Business Committee

From: Erin Grahn, Chair, North Dakota Board of Counselor Examiners

Subject: Request for SB 2071 to be heard to provide requested information

Chairman Barta, Vice Chairman Boehm and committee members,

My name is Erin Grahn, and I am the chair of the ND Board of Counselor Examiners. I reside in Fargo, ND and work full-time as a licensed professional clinical counselor and licensed master addiction counselor. On behalf of our board, I apologize that a member of the NDBCE was not available on January 8<sup>th</sup> to provide testimony and responses to the questions the committee had regarding SB 2071.

I would like to thank Chairman Barta for reaching out today and allowing us the opportunity to have SB 2071 come before the committee on January 14<sup>th</sup>.

Below are the responses to the questions from the January 8<sup>th</sup> meeting.

The purpose of the additional fees is twofold. The first reason is to cover the cost for supplies, production and postage for a duplicate wall certificate. We have had an increase in duplicate wall certificates from licensees as licensees may have more than one office location. It is standard practice to have a wall certificate showing the license type, license number and effective date of the license in counselor's office(s). The proposed fee for a duplicate certificate has not yet been determined but may range anywhere from \$20-\$50.

The proposed technology fee is to assist in covering the costs for a cloud-based licensing system. The system would allow for data to be stored, accessed as needed by board members, allow for communication with licensees, generate reports, allow for community members and insurance companies to complete online license verifications, provide a necessary upgrade for applying, processing and issuing licenses. Our society has shifted away from paper-based applications and to electronic applications; securing a cloud-based licensing system would increase efficiency in processing applications and ease the application process for applicants. Additionally, securing a

cloud-based system will assist our board in meeting the requirements for the Counseling Compact that was passed during the 68<sup>th</sup> legislative session. The technology fee may range from \$50-\$100 per licensee; licenses are renewed every other year. Our board has projected to have 1,000+ licensees for 2025-2026. The initial setup fee for the system our board is interested in is \$65,000; the annual ongoing maintenance fee is \$35,000.

The NDBCE is requesting that the Senate Industry & Business Committee please consider an amendment to include an appropriation for \$100,000 to assist in defraying the setup fee costs. I've included an attachment with additional information regarding the benefits of such an appropriation.

Thank you for allowing us the opportunity to provide this information and consideration of the requested amendment to include an appropriation for a cloud-based licensing system.

Sincerely,

Erin Grahm, Chair  
North Dakota Board of Counselor Examiners  
Phone: 701-730-8313 ext. 3  
E-mail: [erin.grahn@gmail.com](mailto:erin.grahn@gmail.com)

## Appropriation Request

### Purpose

The North Dakota Board of Counselor Examiners (NDBCE) requests a one-time appropriation of \$100,000 to obtain a cloud-based licensing software system. These funds will cover the initial setup costs for the system, streamlining operations and ensuring compliance with legislative requirements.

### Background

The NDBCE currently maintains all records in a paper-based format, which is outdated and creates significant inefficiencies. This system hinders communication among board members, licensees, and applicants, leading to delays and administrative challenges.

With the passage of Senate Bill 2187 during the 68th Legislative Assembly, North Dakota joined the Counseling Compact (NDCC Chapter 43-47.1). The compact allows professionals located in other counseling compact states to apply and obtain a privilege to practice in North Dakota; it will also allow licensed counselors who are residents of North Dakota the opportunity to apply and obtain a privilege to practice in other compact states. However, compliance requires NDBCE to:

- Participate fully in the commission's data system, using a unique identifier for each licensee (NDCC Chapter 43-47.1.01, Article III (2.a)).
- Provide a uniform data set for all compact-relevant individuals (NDCC Chapter 43-47.1.01, Article X (2)).

The current paper-based system cannot meet these requirements, necessitating the adoption of a modern, cloud-based solution.

### Proposed Solution

NDBCE has reviewed several licensing software systems and identified Thentia's cloud-based solution as the best fit. Thentia provides licensing software for 13 other counselor licensure boards and offers the following features:

- Online applications, renewals, and license verifications.
- Automated reminders for license renewal.
- Licensee portals for storing continuing education credits and printing licenses.
- Integrated payment processing for all fees.
- Online submission for supervision reports, complaints, and jurisprudence exams.
- Messaging capabilities between stakeholders.
- Customizable forms and templates.
- Compatibility with the Counseling Compact's data system (in development).

## Cost and Financial Plan

### Initial Costs and Maintenance

- Setup Fee: \$65,000
- Annual Maintenance: \$35,000 (varies based on licensing volume and system features)
- Additional Integration Fee: TBD for compact compliance

### NDBCE Financial Summary

Fiscal Year	Net Income	Gross Income	Expenses
2023-2024	\$42,934.29	\$92,676.42	\$49,742.13
2022-2023	\$35,515.26	\$80,450.00	\$44,934.74
<i>Average</i>	<i>\$39,224.78</i>	<i>\$86,563.21</i>	<i>\$47,338.44</i>

### Proposed Funding Scenarios

Scenario	LAPC Fee	LPC Fee	LPC/LPCC Fee	Supervisor Fee	Technology Fee	Annual Gross Revenue Generated	Annual Net Revenue Generated
Current Fees	\$150	\$150	\$225	\$100	NA	\$102,000*	\$16,000**
No Funding & Fee Increase	\$175	\$175	\$300	\$150	\$100	\$182,000*	\$69,000**
Funding Approved	\$175	\$175	\$300	\$150	\$50	\$155,000*	\$96,000**

*\*Projections based on projected 1,000 combined license types per 2-year licensure period.*

*\*\*Projections also include projected expenses including the annual maintenance cost (\$36,000) for database.*

*All projections exclude anticipated increase in payroll and legal counsel expenses; please refer to 'Additional Considerations' for more information.*

### Impact of Funding Denial

Without funding, NDBCE will need to increase licensing fees by \$125-\$150 per licensee for at least two years to cover setup costs. This increase could discourage applicants and license renewals, further complicating operations.

### Additional Considerations

The NDBCE anticipates the need to hire a new executive secretary or contract out administrative services due to an impending retirement. Current payroll expenses of \$25,000 annually are expected to increase significantly with the hiring of a new executive secretary or outsourced services. The projected expense of this has not yet been calculated but may increase expenses by an additional \$25,000-\$30,000 per year. This additional financial burden underscores the necessity of modernizing operations to improve efficiency and reduce reliance on manual administrative processes.

The NDBCE is also experiencing an increase in legal counsel expenses due to a three-fold increase in complaints against licensed counselors. The board previously received an average of 1-3 complaints against licensees annually.

### **Conclusion and Call to Action**

Investing in Thentia's cloud-based licensing software will modernize NDBCE's operations, improve stakeholder communication, and ensure compliance with the Counseling Compact. This investment supports North Dakota's commitment to professional excellence and public service.

We urge the State of North Dakota to approve the requested \$100,000 appropriation to secure the future efficiency and compliance of the NDBCE. Failure to fund this initiative risks increased operational costs, non-compliance with the compact, and barriers to license portability for North Dakota counselors.

## Appendices

Appendix 1: Full Counseling Compact Member Requirements:

<https://counselingcompact.gov/wp-content/uploads/2024/02/Rule-on-Data-System-Reporting-Requirements-Approved-2024.01.10-Final.pdf>

Additional supporting documentation available upon request.

# 2025 SENATE STANDING COMMITTEE MINUTES

## Industry and Business Committee

Fort Union Room, State Capitol

SB 2071

2/3/2025

A bill relating to the duties and responsibilities of the board of counselor examiners.
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9:36 a.m. Chairman Barta opened the hearing.

Members present: Chairman Barta, Vice-Chair Boehm, Senator Klein, Senator Enget

Members absent: Senator Kessel

### Discussion Topics:

- Additional revenue
- Software solutions and cost
- Technology funds

9:36 a.m. Chairman Barta led committee discussion on the bill and answered questions.

9:40 a.m. Chairman Barta closed the hearing.

*Audrey Oswald, Committee Clerk*

# 2025 SENATE STANDING COMMITTEE MINUTES

## Industry and Business Committee Fort Union Room, State Capitol

SB 2071  
2/10/2025

A bill relating to the duties and responsibilities of the board of counselor examiners.
-----------------------------------------------------------------------------------------

9:02 a.m. Chairman Barta opened the hearing.

Members present: Chairman Barta, Vice-Chair Boehm, Senator Klein, Senator Kessel, Senator Enget

### Discussion Topics:

- License renewal
- Technology updates
- Compact costs

9:05 a.m. Senator Klein moved a Do Pass.

9:05 a.m. Senator Enget seconded the motion.

Senators	Vote
Senator Jeff Barta	Y
Senator Keith Boehm	Y
Senator Mark Enget	Y
Senator Greg Kessel	Y
Senator Jerry Klein	Y

Motion passed 5-0-0.

Senator Klein will carry the bill.

9:06 a.m. Chairman Barta closed the hearing.

*Audrey Oswald, Committee Clerk*

**REPORT OF STANDING COMMITTEE**  
**SB 2071 ([25.8069.01000](#))**

**Industry and Business Committee (Sen. Barta, Chairman)** recommends **DO PASS** (5 YEAS, 0 NAYS, 0 ABSENT OR EXCUSED AND NOT VOTING). SB 2071 was placed on the Eleventh order on the calendar. This bill does not affect workforce development.

**2025 HOUSE POLITICAL SUBDIVISIONS**

**SB 2071**

# 2025 HOUSE STANDING COMMITTEE MINUTES

## Political Subdivisions Committee Room JW327B, State Capitol

SB 2071  
3/6/2025

A BILL for an Act to amend and reenact section 43-47-03 of the North Dakota Century Code, relating to the duties and responsibilities of the board of counselor examiners.

8:59 a.m. Chairman Longmuir opened the hearing.

Members Present: Chairman Longmuir, Vice-Chairman Fegley, Vice-Chairman Jonas, Representatives Bolinske, Davis, Hager, Hatlestad, Klemin, Motschenbacher, Ostlie, Warrey

Members Absent: Representatives Heilman, Toman

### Discussion Topics:

- North Dakota Counselor Licenses

9:00 a.m. Ashley Wolf, Board Member of the North Dakota Board of Counselor Examiners, testified in favor and provided testimony #38992.

9:04 a.m. Vice-Chairman Fegley moved a Do Pass.

9:04 a.m. Representative Warrey seconded the motion.

Representatives	Vote
Representative Donald W. Longmuir	Y
Representative Clayton Fegley	Y
Representative Jim Jonas	Y
Representative Macy Bolinske	Y
Representative Jayme Davis	Y
Representative LaurieBeth Hager	Y
Representative Patrick R. Hatlestad	Y
Representative Matthew Heilman	A
Representative Lawrence R. Klemin	Y
Representative Mike Motschenbacher	Y
Representative Mitch Ostlie	Y
Representative Nathan Toman	A
Representative Jonathan Warrey	Y

9:05 a.m. Motion passed 11-0-2

9:05 a.m. Representative Hager will carry the bill.

9:07 a.m. Chairman Longmuir closed the hearing.

House Political Subdivisions Committee  
SB 2071  
March 6, 2025  
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*Wyatt Armstrong, Committee Clerk*

**REPORT OF STANDING COMMITTEE**  
**SB 2071 ([25.8069.01000](#))**

**Political Subdivisions Committee (Rep. Longmuir, Chairman)** recommends **DO PASS** (11 YEAS, 0 NAYS, 2 ABSENT OR EXCUSED AND NOT VOTING). SB 2071 was placed on the Fourteenth order on the calendar.

Date: March 3<sup>rd</sup>, 2025

To: House Political Subdivisions Committee

From: Ashley Wolf, North Dakota Board of Counselor Examiners

Subject: Support for SB 2071

Chairman Longmuir, Vice Chairman Fegley and committee members, my name is Ashley Wolf, and I am a Board member of the North Dakota Board of Counselor Examiners.

I am here to introduce Senate Bill 2071 to the Committee.

Section 1 of the bill adds authority for the Board to set fees for the provision of a duplicate license and to impose a fee for technology services. Finally, the bill also provides the Board with the general authority to adopt administrative rules.

The purpose of the additional fees is twofold. The first reason is to cover the cost for supplies, production and postage for a duplicate wall certificate. We have had an increase in duplicate wall certificates from licensees as licensees may have more than one office location. It is standard practice to have a wall certificate showing the license type, license number and effective date of the license in counselor's office(s). The proposed fee for a duplicate certificate has not yet been determined but may range anywhere from \$20-\$50.

The proposed technology fee is to assist in covering the cost and continued maintenance for a cloud-based licensing system for the Board. The system would allow for data to be stored, accessed as needed by board members, allow for communication with licensees, generate reports, allow for community members and insurance companies to complete online license verifications, provide a necessary upgrade for applying, processing and issuing licenses. Our society has shifted away from paper-based applications and to electronic applications; securing a cloud-based

licensing system would increase efficiency in processing applications and ease the application process for applicants. Additionally, securing a cloud-based system will assist our board in meeting the requirements for the Counseling Compact that was passed during the 68th legislative session. The technology fee may range from \$50-\$100 per licensee; licenses are renewed every other year. Our board has projected to have 1,000+ licensees for 2025-2026.

The Board would request vote in favor of Senate Bill 2071. With that I would stand for any questions.

Sincerely,

Ashley Wolf, Layperson

North Dakota Board of Counselor Examiners

Phone: 701-471-7643

E-mail: [Ashley.dockter@gmail.com](mailto:Ashley.dockter@gmail.com)