

2025 SENATE HUMAN SERVICES

SB 2079

2025 SENATE STANDING COMMITTEE MINUTES

Human Services Committee Fort Lincoln Room, State Capitol

SB 2079
1/8/2025

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| Relating to the definition of a mental health professional. |
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10:22 a.m. Chairman Lee called the meeting to order.

Members Present: Chairman Lee, Vice-Chairman Weston, Senator Van Oosting, Senator Clemens, Senator Hogan, Senator Roers.

Discussion Topics:

- National examination
- Reimbursement
- Nexus Paths

10:27 a.m. Chairman Lee opened the hearing.

10:28 a.m. Dr Shauna Eberhardt, Clinical Director North Dakota Department of Health and Human Services, testified in favor and submitted testimony #28178.

10:33 a.m. Calvin Benson, Executive Director Nexus Path Family Hearing, testified in favor and submitted testimony #28210.

10:39 a.m. Chairman Lee closed the hearing.

10:39 a.m. Senator Roers moved a Do Pass.

10:39 a.m. Senator Hogan seconded the motion.

| Senators | Vote |
|-----------------------------|------|
| Senator Judy Lee | Y |
| Senator Kent Weston | Y |
| Senator David A. Clemens | Y |
| Senator Kathy Hogan | Y |
| Senator Kristin Roers | Y |
| Senator Desiree Van Oosting | Y |

10:40 a.m. Motion passed 6-0-0.

10:40 a.m. Bill carrier Senator Roers.

10:40 a.m. Chairman Lee closed the meeting.

Andrew Ficek, Committee Clerk

REPORT OF STANDING COMMITTEE
SB 2079 ([25.8090.01000](#))

Human Services Committee (Sen. Lee, Chairman) recommends **DO PASS** (6 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING), and be placed on the Eleventh order on the calendar. This bill does not affect workforce development.

Testimony
Senate Bill No.2079
Human Services Committee
Senator Lee Chairman
January 8, 2025

Chairman Lee, and members of the Human Services Committee, I am Dr. Shauna Eberhardt with the Department of Health and Human Services, Behavioral Health Division. I appear before you in support of Senate Bill No. 2079, which was introduced at the request of the Department.

The proposed changes in this Bill amend subsection 9 of section 25-01-01 of the North Dakota Century Code regarding the definition of Tier 2 mental health professional. The requested change would move "licensed professional counselors" to a Tier 2 status and remove them from the Tier 3 mental health professional definition in subsection 10. The rationale behind this request is a Licensed Professional Counselor has completed two years of direct clinical experience under the supervision of a Licensed Professional Clinical Counselor, have obtained a signed letter of recommendation from a Licensed Professional Clinical Counselor supervisor, and are able to practice and bill independently in North Dakota. The difference between the Licensed Professional Clinical Counselor and Licensed Professional Counselor is the former must complete a minimum of 3,000 hours of experience and a national examination. This change would allow for increased flexibility in workforce for tasks designated to Tier 2 mental health professionals, such as the investigation and evaluation of petitions as outlined in section 25-03.1-08.

Under subsection 11 of section 25-01-01, a proposed addition of certified peer support specialist is requested for the definition of Tier 4 mental health professional. The department would like to recognize the professionalization of peer support as a necessary component of behavioral healthcare. Certified peer support specialists complete initial training related to their certification and must obtain ongoing training to maintain their certification. Peer support is a nationally-recognized service and is now considered a best practice in both mental health and substance use disorder treatment and recovery programs. Peer support does not replace current service or workforce, but rather supplements existing services by providing individuals with support through lived experience, reducing the stigma of behavioral health.

This concludes my testimony. I would be happy to try to answer any questions the committee may have. Thank you.

Senate Human Services Committee**Chair Senator Judy Lee****January 8, 2025****Testimony of: Kate Coughlin Executive Director | Nexus-PATH Family Healing****kcoughlin@nexuspath.org | Direct: (218) 979-0180****Responding to the Children's Behavioral Health Crisis:
Support for Senate Bill 2079**

Chair Lee and members of the Senate Human Services Committee. My name is Kate Coughlin, Executive Director Nexus-PATH Family Healing.

Our nation's leading pediatric health experts have declared the children's behavioral health crisis is so dire that it warrants a national emergency. In 2021, over 35% of North Dakota high school students – grades 9-12 – reported feeling persistent sadness or hopelessness and nearly 1 in 5 reported seriously considering dying by suicide within the past 12-months (Youth Risk Behavior Survey, 2021), equating to approximately 6,818 youth across the state. The challenges of recent years have only increased the need for timely access to high-quality mental health services.

Failure to ensure that mental health services are available when and where people need them has dire consequences for individuals, families, and communities throughout North Dakota. In the current system, only four counties have the mental health resources their population requires. Only if you live in one of these more densely populated counties can adequate services be found.

The current definition of Mental Health Professional reduces the availability of Mental Health Professionals and reduces access to needed services. The amendment to this definition as found in SB 2079 has the potential to improve the availability of mental health professionals and create an accessible system for mental health in North Dakota.

Nexus-PATH supports the modification to the definition of mental health professional as proposed in SB 2079 and supports the passage of this legislation.

Thank you for the opportunity to address you on this critical issue affecting the state of North Dakota. We ask for a "DO PASS" recommendation on SB 2079.

2025 HOUSE HUMAN SERVICES

SB 2079

2025 HOUSE STANDING COMMITTEE MINUTES

Human Services Committee Pioneer Room, State Capitol

SB 2079
3/5/2025

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| Relating to the definition of a mental health professional. |
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10:44 a.m. Chairman M. Ruby opened the hearing.

Members Present: Chairman M. Ruby, Vice-Chairman Frelich, Representatives K. Anderson, Beltz, Bolinske, Davis, Dobervich, Fegley, Hendrix, Holle, Kiefert, Rios, Rohr

Discussion Topics:

- Peer support
- Licensed professional counselors
- Tier 2 and 3 counselors

10:44 a.m. Dr. Dan Cramer, Clinical Director, ND Health and Human Services, testified in support and submitted testimony #38656.

10:49 a.m. Denise Harvey, Program Director, ND Protection and Advocacy, testified in support and submitted testimony #38826.

10:50 a.m. Chairman M. Ruby closed the hearing.

Mary Brucker, Committee Clerk, for Jackson Toman, Committee Clerk



Testimony
Senate Bill No. 2079
House Human Services Committee
Representative Matthew Ruby, Chairman
March 5, 2025

Chairman Ruby, and members of the Human Services Committee, I am Dr. Dan Cramer with the Department of Health and Human Services, Behavioral Health Division. I appear before you in support of Senate Bill No. 2079, which was introduced at the request of the Department.

The proposed changes in this Bill amend subsection 9 of section 25-01-01 of the North Dakota Century Code regarding the definition of Tier 2 mental health professional. The requested change would move "licensed professional counselors" to a Tier 2 status and remove them from the Tier 3 mental health professional definition in subsection 10. The rationale behind this request is a Licensed Professional Counselor has completed two years of direct clinical experience under the supervision of a Licensed Professional Clinical Counselor, have obtained a signed letter of recommendation from a Licensed Professional Clinical Counselor supervisor, and are able to practice and bill independently in North Dakota. The difference between the Licensed Professional Clinical Counselor and Licensed Professional Counselor is the former must complete a minimum of 3,000 hours of experience and a national examination. This change would allow for increased flexibility in workforce for tasks designated to Tier 2 mental health professionals, such as the investigation and evaluation of petitions as outlined in section 25-03.1-08.

Under subsection 11 of section 25-01-01, a proposed addition of certified peer support specialist is requested for the definition of Tier 4 mental health professional. The department would like to recognize the professionalization of peer support as a necessary component of behavioral healthcare. Certified peer support specialists complete initial training related to their certification and must obtain ongoing training to maintain their certification. Peer support is a nationally-recognized service and is now considered a best practice in both mental health and substance use disorder treatment and recovery programs. Peer support does not replace current service or workforce, but rather supplements existing services by providing individuals with support through lived experience, reducing the stigma of behavioral health.

This concludes my testimony. I would be happy to try to answer any questions the committee may have. Thank you.



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House Human Services

SB Bill 2079

Testimony of Denise Harvey, Protection & Advocacy, Program Director

March 5, 2025

Chairman Ruby and members of the House Human Services my name is Denise Harvey. I am a Director of Program Services at the North Dakota Protection and Advocacy Project (P&A). P&A is an independent state agency established in 1977 to assert and advance the human, civil, and legal rights of people with disabilities. The agency's programs and services seek to make positive changes for people with disabilities where we live, learn, work and play.

P&A supports the amendments related to the definition of mental health professionals as introduced by the Department. P&A and advocacy groups have made it a priority to advocate for the value and importance of peer support specialists for years. The work done by peer support specialists is integral to meeting the needs of individuals with lived experience. Peer support offers psychosocial support, teaches empowerment and increases continued engagement in the recovery process. There is a connection offered with peer support through listening and the sharing of lived experience that is unique to this program and is why this holds such an important place in the continuum of services for persons with mental illness. The acknowledgment of the this nationally recognized service as best practice by the department is greatly appreciated.

Thank you for your time and consideration.

Denise Harvey

Director of Program Services

drharvey@nd.gov

2025 HOUSE STANDING COMMITTEE MINUTES

Human Services Committee Pioneer Room, State Capitol

SB 2079
3/5/2025

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| Relating to the definition of a mental health professional. |
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2:48 p.m. Chairman M. Ruby opened the meeting.

Members Present: Chairman M. Ruby, Vice-Chairman Frelich, Representatives K. Anderson, Beltz, Bolinske, Davis, Fegley, Hendrix, Holle, Kiefert, Rios
Members absent: Representatives Dobervich, Rohr

Discussion Topics:

- Committee action

2:48 p.m. Representative Frelich moved a Do Pass.

2:48 p.m. Representative Holle seconded the motion.

| Representatives | Vote |
|-----------------------------------|------|
| Representative Matthew Ruby | Y |
| Representative Kathy Frelich | Y |
| Representative Karen Anderson | Y |
| Representative Mike Beltz | Y |
| Representative Macy Bolinske | Y |
| Representative Jayme Davis | Y |
| Representative Gretchen Dobervich | AB |
| Representative Cleyton Fegley | Y |
| Representative Jared Hendrix | Y |
| Representative Dawson Holle | Y |
| Representative Dwight Kiefert | Y |
| Representative Nico Rios | Y |
| Representative Karen Rohr | AB |

2:49 p.m. Motion passed 11-0-2.

Representative Bolinske will carry the bill.

2:49 p.m. Chairman M. Ruby closed the meeting.

Jackson Toman, Committee Clerk

REPORT OF STANDING COMMITTEE
SB 2079 ([25.8090.01000](#))

Human Services Committee (Rep. M. Ruby, Chairman) recommends **DO PASS** (11 YEAS, 0 NAYS, 2 ABSENT OR EXCUSED AND NOT VOTING). SB 2079 was placed on the Fourteenth order on the calendar.