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 March 28, 2011.

History: Effective January 1, 2002; amended effective January 1, 2008; July 1, 2014.
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 be board members chosen by the chairperson and confirmed by the board.

History: Effective January 1, 2002; amended effective July 1, 2014.
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; amended effective July 1, 2014.
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