

Fifty-fifth
Legislative Assembly
of North Dakota

ENGROSSED SENATE BILL NO. 2376

Introduced by

Senators C. Nelson, DeMers, Thane

Representative Thoreson

1 A BILL for an Act to create and enact a new paragraph to subdivision e of subsection 2 of
2 section 26.1-36-09 of the North Dakota Century Code, relating to services provided by licensed
3 professional clinical counselors; and to amend and reenact paragraph 1 of subdivision e of
4 subsection 2 of section 26.1-36-09 of the North Dakota Century Code, relating to group
5 coverage for counselors providing outpatient treatment for mental disorders.

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

7 **SECTION 1. AMENDMENT.** Paragraph 1 of subdivision e of subsection 2 of section
8 26.1-36-09 of the North Dakota Century Code is amended and reenacted as follows:

9 e. (1) In the case of benefits provided for outpatient treatment, the benefits
10 must be provided for a minimum of thirty hours for services covered
11 under this section in any calendar year if the treatment services are
12 provided within the scope of licensure by a nurse who holds advanced
13 licensure with a scope of practice within mental health or if the
14 diagnosis, evaluation, and treatment services are provided within the
15 scope of licensure by a licensed physician, a licensed psychologist who
16 is eligible for listing on the national register of health service providers
17 in psychology, a licensed professional clinical counselor who is
18 licensed in this state under section 43-47-06.1, or a licensed certified
19 social worker who:

- 20 (a) Possesses a master's or doctorate degree in social work from an
21 institution accredited by the council of social work education;
- 22 (b) Has at least one year of direct clinical social work practice during
23 graduate school or one year of postgraduate supervised clinical
24 social work practice in a structured teaching environment;

- 1 (c) Has completed at least the equivalent of four years of full-time
2 supervised clinical social work experience within the last seven
3 years;
4 (d) Has passed the clinical examination or its equivalent offered by
5 the North Dakota board of social work examiners; and
6 (e) If not licensed in this state, is licensed, certified, or registered at
7 the highest level of social work practice in another state.

8 **SECTION 2.** A new paragraph to subdivision e of subsection 2 of section 26.1-36-09 of
9 the North Dakota Century Code is created and enacted as follows:

10 If outpatient treatment services are provided by a licensed professional
11 clinical counselor through an employee assistance program contract,
12 the provider may not bill the insurance company, nonprofit health
13 service corporation, or health maintenance organization for the
14 services.