

Sixty-fifth
Legislative Assembly
of North Dakota

ENGROSSED SENATE BILL NO. 2033

Introduced by

Legislative Management

(Health Services Committee)

1 A BILL for an Act to amend and reenact subsection 4 of section 43-41-04, section 43-47-06, and
2 subsection 7 of section 43-53-01 of the North Dakota Century Code, relating to licensure
3 requirements for behavioral health professionals; and to provide for a report to the legislative
4 management.

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

6 **SECTION 1. AMENDMENT.** Subsection 4 of section 43-41-04 of the North Dakota Century
7 Code is amended and reenacted as follows:

- 8 4. The board shall issue a license as a licensed independent clinical social worker to an
9 applicant who:
- 10 a. Has a doctorate or master's degree in social work from a college or university.
 - 11 b. ~~Has passed~~Passed an examination approved by the board for this purpose.
 - 12 c. ~~Has satisfied~~Satisfied the board that within a four-year period the applicant ~~has~~
13 successfully completed three thousand hours of supervised post-master's clinical
14 social work experience. The initial one thousand five hundred of the required
15 hours must have been under the supervision of a licensed independent clinical
16 social worker, ~~or, if~~. Additional hours of supervision may be under other qualified
17 mental health professionals approved by the board if barriers due to the
18 geographical location, disability, or other factors determined by the board to
19 create a hardship exist for the applicant. The qualified professional must be
20 registered or otherwise qualified as a clinical supervisor by the board that
21 licenses the other professional. However, if an applicant began that supervised
22 post-master's clinical social work experience before August 1, 2009, a licensed
23 certified social worker who has two years of experience, a licensed psychologist

1 with a doctorate degree, or a licensed psychiatrist may have supervised the
2 required hours.

3 d. ~~Has satisfied~~Satisfied the board that the applicant agrees to adhere to the code
4 of social work ethics adopted by the board.

5 **SECTION 2. AMENDMENT.** Section 43-47-06 of the North Dakota Century Code is
6 amended and reenacted as follows:

7 **43-47-06. Licenses - Qualifications - Reciprocity.**

8 1. Except as otherwise provided in this chapter, ~~no~~a person may not engage in
9 counseling in this state unless that person is a licensed professional counselor or
10 licensed associate professional counselor.

11 2. The board shall issue a license as a licensed professional counselor to each applicant
12 who files an application upon a form and in a manner the board prescribes,
13 accompanied by the required fee, and who furnishes evidence to the board that the
14 applicant:

15 a. ~~Has received~~a master's degree from an accredited school or college in
16 counseling or other program that meets the academic and training standards
17 adopted by the board;

18 b. ~~Has provided~~Provided personal and professional recommendations that meet the
19 requirements adopted by the board and ~~has satisfied~~ the board that the applicant
20 will adhere to the highest standards of the profession of counseling;

21 c. Has two years of supervised experience, at least fifty percent of which must have
22 been under a licensed professional counselor, or its equivalent as determined by
23 the board, and the additional supervised experience may have been with other
24 qualified professionals designated by the board which are competent in the area
25 of practice being supervised, if barriers due to geographical location, disability, or
26 other factors determined by the board to create a hardship exist for the applicant.
27 The qualified professional must be registered or otherwise qualified as a clinical
28 supervisor by the board that licenses the other professional;

29 d. ~~Has provided~~Provided a statement of professional intent to practice in this state
30 describing the applicant's proposed use of the license, the intended client

- 1 population, and the counseling procedures, as defined by the board, the
2 applicant intends to use in serving the client population; and
3 e. Has demonstrated knowledge in the field of counseling by successful completion
4 of an examination prescribed by the board.
- 5 3. The board shall issue a license as a licensed associate professional counselor to each
6 applicant who files an application upon a form and in a manner the board prescribes,
7 accompanied by the required fee, and who furnishes sufficient evidence to the board
8 that the applicant:
- 9 a. Has ~~received~~ a master's degree from an accredited school or college in
10 counseling or other program that meets the academic and training standards
11 adopted by the board;
- 12 b. ~~Has provided~~Provided personal and professional recommendations that meet the
13 requirements adopted by the board and ~~has~~ satisfied the board that the applicant
14 will adhere to the standards of the profession of counseling; and
- 15 c. ~~Has provided~~Provided a written plan for supervised experience which meets the
16 requirements adopted by the board.
- 17 4. The board may waive the formal examination requirements for a professional
18 counselor license ~~when~~if the applicant has been licensed or certified to practice
19 counseling in another state under standards and qualifications similar to or greater
20 than those set by the board.
- 21 5. A professional counselor shall renew the license every two years. The board shall
22 renew a license upon payment of a fee set by the board and upon demonstration by
23 the licenseholder of completion of continuing education requirements set by the board.
- 24 6. An associate professional counselor initially licensed under this chapter may be
25 licensed for no more than two years. The associate professional counselor's license
26 may not be extended beyond two years ~~only~~, except upon recommendation of the
27 associate professional counselor's supervisor and three other counselors, at least one
28 of whom must be a professor from the associate professional counselor's training
29 program.

30 **SECTION 3. AMENDMENT.** Subsection 7 of section 43-53-01 of the North Dakota Century
31 Code is amended and reenacted as follows:

1 7. "Qualified supervision" means the supervision of clinical services, in accordance with
2 standards established by the board, by an individual who has been recognized by the
3 board as an approved supervisor. At least fifty percent of the hours of qualified
4 supervision must be with an approved supervisor who is a licensed marriage and
5 family therapist and additional hours of qualified supervision may be with other
6 professionals designated by the approved supervisor and acting under the approved
7 supervisor. The other professional must be approved by the board, approved by that
8 individual's licensing authority to supervise interns if appropriate, and competent in the
9 area of practice being supervised. The marriage and family therapist approved
10 supervisor remains the applicant's supervisor of record.

11 **SECTION 4. BEHAVIORAL HEALTH PROFESSIONAL BOARDS - REPORT TO**
12 **LEGISLATIVE MANAGEMENT.** During the 2017-18 interim, the North Dakota board of social
13 work examiners, board of addiction counseling examiners, board of counselor examiners, and
14 North Dakota marriage and family therapy licensure board shall report to the legislative
15 management on the status of implementation of supervision and training requirements provided
16 in this Act.