

## BEHAVIORAL HEALTH-RELATED BOARDS

This memorandum reviews the statutory requirements for appointment to behavioral health-related occupational boards. Although the North Dakota Century Code does not specifically require consideration of gender or geographic location of board members, Section 54-06-19 provides:

Appointments to boards, commissions, committees, and councils of the state established by this code, if not otherwise provided by law, should be gender balanced to the extent possible and to the extent that appointees are qualified to serve on those boards, commissions, committees, and councils. Any appointment in accordance with this section should be made in a manner that strives to seek gender balance based on the numbers of each gender belonging to the group from which appointments are made. Ex officio members are not to be included in determining gender balance under this section.

### Board of Addiction Counseling Examiners

Section 43-45-02 requires the Governor to appoint a seven-member Board of Addiction Counseling Examiners. The membership must include:

1. Five members who are licensees actively engaged in the practice of addiction counseling, one of whom must be actively engaged in the private practice of addiction counseling.
2. Two members who are laypersons.

[Appendix A](#) provides a list of the current members of the board.

### Board of Counselor Examiners

Section 43-47-02 requires the Governor to appoint a five-member Board of Counselor Examiners, including two practicing counselors, one counselor educator, and two members of the public.

[Appendix B](#) provides a list of the current members of the board.

### Board of Social Work Examiners

Section 43-41-08 requires the Governor to appoint a six-member Board of Social Work Examiners, two of whom must be, at the time of initial appointment, licensed social workers; one of whom must be, at the time of initial appointment, a licensed certified social worker; one of whom must be, at the time of initial appointment, a licensed independent clinical social worker; and two of whom must be laypersons. Board members must demonstrate no conflict of interest.

[Appendix C](#) provides a list of the current members of the board.

### Board of Psychological Examiners

Section 43-32-02 requires the Governor to appoint a seven-member Board of Psychologist Examiners, all of whom must be residents of the state. Section 43-32-02 further provides:

1. One board member must be designated a public member who is a resident of this state, is at least 21 years of age, and is not affiliated with any group or profession that provides or regulates health care in any form.
2. Of the remaining six board members, at least one member must be engaged primarily in providing services in psychology or applied behavior analysis, and at least one member must be engaged primarily in teaching, training, or research in psychology or applied behavior analysis.
3. Except the public member, each member must be licensed under this chapter for at least 5 years.

[Appendix D](#) provides a list of the current members of the board.

### Board of Medicine

Section 43-17-03 requires the Governor to appoint a 13-member North Dakota Board of Medicine, nine of whom are doctors of medicine, one of whom is a doctor of osteopathy, one of whom is a physician assistant, and two of whom are designated as public members. If no osteopathic physician is qualified and willing to serve, any qualified physician may be appointed in place of the osteopathic physician. Section 43-17-03 further provides:

1. Each physician member must:
  - a. Be a practicing physician of integrity and ability.

- b. Be a resident of and duly licensed to practice medicine in this state.
  - c. Be a graduate of a medical or osteopathic school of high educational requirements and standing.
  - d. Have been engaged in the active practice of the physician's profession within this state for a period of at least 5 years.
2. Each public member of the board must:
    - a. Be a resident of this state.
    - b. Be at least 21 years of age.
    - c. Not be affiliated with any group or profession that provides or regulates health care in any form.
  3. The physician assistant member of the board must:
    - a. Be a practicing physician assistant of integrity and ability.
    - b. Be a resident of and be duly licensed to practice as a physician assistant in this state.
    - c. Have been engaged in the active practice as a physician assistant within this state for a period of 5 years.

[Appendix E](#) provides a list of the current members of the board.

### **Marriage and Family Therapy Licensure Board**

Section 43-53-04 requires the Governor to appoint a five-member Family Therapy Licensure Board. The Governor shall appoint the board members to serve terms of 4 years. Section 43-54-04 further provides the Governor shall appoint members of the board from among individuals who meet the following qualifications:

1. At least three members must be licensed practicing marriage and family therapists; and each must have been for at least 5 years immediately preceding appointment actively engaged as marriage and family therapists in rendering professional services in marriage and family therapy; in the education and training of master's, doctoral, or postdoctoral students of marriage and family therapy; or in marriage and family therapy research. A member under this subdivision must have spent the majority of the time devoted by that member to such activity during the 2 years preceding appointment residing in this state.
2. At least one member must be a representative of the general public and may not have any direct affiliation with the practice of marriage and family therapy or another mental health profession.

[Appendix F](#) provides a list of the current members of the board.

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