

GENERAL ASSEMBLY OF NORTH CAROLINA
1995 SESSION

CHAPTER 157
HOUSE BILL 958

AN ACT TO AUTHORIZE REIMBURSEMENT FOR LICENSED PROFESSIONAL
COUNSELORS UNDER THE STATE HEALTH PLAN FOR MENTAL HEALTH
AND CHEMICAL DEPENDENCY TREATMENT.

The General Assembly of North Carolina enacts:

Section 1. G.S. 135-40.7A(c) reads as rewritten:

"(c) Notwithstanding any other provision of this Part, provisions for benefits for necessary care and treatment of chemical dependency under this Part shall provide for benefit payments for the following providers of necessary care and treatment of chemical dependency:

- (1) The following units of a general hospital licensed under Article 5 of General Statutes Chapter 131E:
 - a. Chemical dependency units in facilities licensed after October 1, 1984;
 - b. Medical units;
 - c. Psychiatric units; and
- (2) The following facilities licensed after July 1, 1984, under Article 2 of General Statutes Chapter 122C:
 - a. Chemical dependency units in psychiatric hospitals;
 - b. Chemical dependency hospitals;
 - c. Residential chemical dependency treatment facilities;
 - d. Social setting detoxification facilities or programs;
 - e. Medical detoxification facilities or programs; and
- (3) Duly licensed physicians and duly licensed practicing psychologists, certified clinical social workers, licensed professional counselors, certified clinical specialists in psychiatric and mental health nursing, and certified professionals working under the direct supervision of such physicians or psychologists in facilities described in (1) and (2) above and in day/night programs or outpatient treatment facilities licensed after July 1, 1984, under Article 2 of General Statutes Chapter 122C.

Provided, however, that nothing in this subsection shall prohibit the Plan from requiring the most cost effective treatment setting to be utilized by the person undergoing necessary care and treatment for chemical dependency."

Sec. 2. G.S. 135-40.7B(c) reads as rewritten:

"(c) Notwithstanding any other provisions of this Part, the following providers are authorized to provide necessary care and treatment for mental illness under this section:

- (1) Licensed psychiatrists;
- (2) Licensed or certified doctors of psychology;
- (3) Certified clinical social workers;
- (3a) Licensed professional counselors;
- (4) Psychiatric nurses;
- (5) Other social workers under the direct employment and supervision of a licensed psychiatrist or licensed doctor of psychology;
- (6) Psychological associates with a master's degree in psychology under the direct employment and supervision of a licensed psychiatrist or licensed or certified doctor of psychology;
- (7) Licensed psychiatric hospitals and licensed general hospitals providing psychiatric treatment programs; and
- (8) Certified residential treatment facilities, community mental health centers, and partial hospitalization facilities."

Sec. 3. G.S. 90-338 reads as rewritten:

"§ 90-338. Exemptions.

Applicants holding certificates of registration as Registered Practicing Counselors and in good standing with the Board shall be issued licenses as licensed professional counselors without meeting the requirements of G.S. 90-336(b). The following applicants shall be exempt from the academic qualifications required by this Article for licensed professional counselors and shall be licensed upon passing the Board examination and meeting the experience requirements:

- (1) An applicant who was engaged in the practice of counseling before July 1, ~~1993~~1993, and who applies to the Board prior to January 1, 1996.
- (2) An applicant who holds a masters degree from a college or university accredited by one of the regional accrediting associations or from a college or university determined by the Board to have standards substantially equivalent to a regionally accredited institution, provided the applicant was enrolled in the masters program prior to July 1, 1994."

Sec. 4. G.S. 90-330(a)(3) reads as rewritten:

- "(3) The 'practice of counseling' means holding oneself out to the public as a professional counselor offering counseling services that include, but are not limited to, the following:
- a. Counseling. – Assisting individuals, groups, and families through the counseling ~~relationship, using relationship by~~ treating mental disorders and other conditions through the use of a combination of clinical mental health and human development principles, methods, diagnostic procedures, treatment plans, and other psychotherapeutic techniques, to develop an understanding of personal problems, to define goals,

and to plan action reflecting the client's interests, abilities, aptitudes, and mental health needs as these are related to personal-social-emotional concerns, educational progress, and occupations and careers.

- b. Appraisal Activities. – Administering and interpreting tests for assessment of personal characteristics.
- c. Consulting. – Interpreting scientific data and providing guidance and personnel services to individuals, groups, or organizations.
- d. Referral Activities. – Identifying problems requiring referral to other specialists.
- e. Research Activities. – Designing, conducting, and interpreting research with human subjects."

Sec. 5. This act becomes effective October 1, 1995, and applies to claims for payment or reimbursement for services rendered on or after that date.

In the General Assembly read three times and ratified this the 1st day of June, 1995.

Dennis A. Wicker
President of the Senate

Harold J. Brubaker
Speaker of the House of Representatives