

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1995

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SENATE BILL 700

Pensions and Retirement/Insurance/State Personnel Committee Substitute Adopted 5/10/95

Short Title: Mental Health Coverage.

(Public)

Sponsors:

Referred to:

April 13, 1995

A BILL TO BE ENTITLED

AN ACT TO AUTHORIZE REIMBURSEMENT FOR LICENSED PROFESSIONAL COUNSELORS UNDER THE STATE HEALTH PLAN FOR MENTAL HEALTH AND CHEMICAL DEPENDENCY TREATMENT, TO LIMIT THE EXEMPTION FOR LICENSURE OF COUNSELORS, AND TO CLARIFY THE DEFINITION OF "COUNSELING".

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

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

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

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

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

- 21 (1) Licensed psychiatrists;
- 22 (2) Licensed or certified doctors of psychology;
- 23 (3) Certified clinical social workers;
- 24 (3a) Licensed professional counselors;
- 25 (4) Psychiatric nurses;
- 26 (5) Other social workers under the direct employment and supervision of a
27 licensed psychiatrist or licensed doctor of psychology;
- 28 (6) Psychological associates with a master's degree in psychology under the
29 direct employment and supervision of a licensed psychiatrist or licensed
30 or certified doctor of psychology;
- 31 (7) Licensed psychiatric hospitals and licensed general hospitals providing
32 psychiatric treatment programs; and
- 33 (8) Certified residential treatment facilities, community mental health
34 centers, and partial hospitalization facilities."

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

36 "**§ 90-338. Exemptions.**

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

1 (1) An applicant who was engaged in the practice of counseling before July
2 1, ~~1993-1993~~, and who applies to the Board prior to January 1, 1996.

3 (2) An applicant who holds a masters degree from a college or university
4 accredited by one of the regional accrediting associations or from a
5 college or university determined by the Board to have standards
6 substantially equivalent to a regionally accredited institution, provided
7 the applicant was enrolled in the masters program prior to July 1, 1994."

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

9 "(3) The 'practice of counseling' means holding oneself out to the public as a
10 professional counselor offering counseling services that include, but are
11 not limited to, the following:

12 a. Counseling. – Assisting individuals, groups, and families through
13 the counseling ~~relationship, using relationship by treating mental~~
14 disorders and other conditions through the use of a combination
15 of clinical mental health and human development principles,
16 methods, diagnostic procedures, treatment plans, and other
17 psychotherapeutic techniques, to develop an understanding of
18 personal problems, to define goals, and to plan action reflecting
19 the client's interests, abilities, aptitudes, and mental health needs
20 as these are related to personal-social-emotional concerns,
21 educational progress, and occupations and careers.

22 b. Appraisal Activities. – Administering and interpreting tests for
23 assessment of personal characteristics.

24 c. Consulting. – Interpreting scientific data and providing guidance
25 and personnel services to individuals, groups, or organizations.

26 d. Referral Activities. – Identifying problems requiring referral to
27 other specialists.

28 e. Research Activities. – Designing, conducting, and interpreting
29 research with human subjects."

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