

**GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2003**

**HOUSE BILL 1049
RATIFIED BILL**

AN ACT TO ALLOW LICENSED PSYCHOLOGICAL ASSOCIATES TO RECEIVE PAYMENT FOR SERVICES FROM INSURERS AND TO INCREASE THE FEE THE PSYCHOLOGY BOARD MAY CHARGE FOR A TEMPORARY LICENSE.

The General Assembly of North Carolina enacts:

SECTION 1. G.S. 58-50-30(b) reads as rewritten:

"(b) For the purposes of this section, a "duly licensed psychologist" is a-a:

- (1) ~~licensed~~Licensed psychologist who holds permanent licensure and certification as a health services provider psychologist issued by the North Carolina Psychology ~~Board.~~ Board; or
- (2) Licensed psychological associate who holds permanent licensure."

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

"(c) Notwithstanding any other provisions of this Part, the following providers and no others may provide necessary care and treatment for mental health under this section:

- (1) Psychiatrists who have completed a residency in psychiatry approved by the American Council for Graduate Medical Education and who are licensed as medical doctors or doctors of osteopathy in the state in which they perform and services covered by the Plan;
- (2) Licensed or certified doctors of psychology;
- (3) Certified clinical social workers and licensed clinical social workers;
- (3a) Licensed professional counselors;
- (4) Certified clinical specialists in psychiatric and mental health nursing;
- (4a) Nurses working under the employment and direct supervision of such physicians, psychologists, or psychiatrists;
- (5) Repealed by Session Laws 1997-512, s. 14.
- (6) ~~Psychological associates with a masters degree in psychology under the direct employment and supervision of a licensed psychiatrist or licensed or certified doctor of psychology;~~Licensed psychological associates;
- (7), (8) Repealed by Session Laws 1997-512, s. 14.
- (9) Certified fee-based practicing pastoral counselors;
- (10) Licensed physician assistants under the supervision of a licensed psychiatrist and acting pursuant to G.S. 90-18.1 or the applicable laws and rules of the area in which the physician assistant is licensed or certified; and
- (11) Licensed marriage and family therapists."

SECTION 3. G.S. 135-40.7B(c1) reads as rewritten:

"(c1) Notwithstanding any other provisions of this Part, the following providers and no others may provide necessary care and treatment for chemical dependency under this section:

- (1) The following providers with appropriate substance abuse training and experience in the field of alcohol and other drug abuse as determined by the mental health case manager, in facilities described in subdivision (b)(2) of this section, in day/night programs or outpatient

treatment facilities licensed after July 1, 1984, under Article 2 of Chapter 122C of the General Statutes or in North Carolina area programs in substance abuse services are authorized to provide treatment for chemical dependency under this section:

- a. Licensed physicians including, but not limited to, physicians who are certified in substance abuse by the American Society of Addiction Medicine (ASAM);
 - b. Licensed or certified psychologists;
 - c. Psychiatrists;
 - d. Certified substance abuse counselors working under the direct supervision of such physicians, psychologists, or psychiatrists;
 - e. ~~Psychological associates with a masters degree in psychology working under the direct supervision of such physicians, psychologists, or psychiatrists;~~ Licensed psychological associates;
 - f. Nurses working under the direct supervision of such physicians, psychologists, or psychiatrists;
 - g. Certified clinical social workers and licensed clinical social workers;
 - h. Certified clinical specialists in psychiatric and mental health nursing;
 - i. Licensed professional counselors;
 - j. Certified fee-based practicing pastoral counselors;
 - k. Substance abuse professionals certified under Article 5C of Chapter 90 of the General Statutes; and
 - l. Licensed marriage and family and therapists.
- (2) The following providers with appropriate substance abuse training and experience in the field of alcohol and other drug abuse as determined by the mental health case manager are authorized to provide treatment for chemical dependency in outpatient practice settings:
- a. Licensed physicians including, but not limited to, physicians who are certified in substance abuse by the American Society of Addiction Medicine (ASAM);
 - b. Licensed or certified psychologists;
 - c. Psychiatrists;
 - d. Certified substance abuse counselors working under the direct supervision of such physicians, psychologists, or psychiatrists;
 - e. ~~Psychological associates with a masters degree in psychology working under the direct supervision of such physicians, psychologists, or psychiatrists;~~ Licensed psychological associates;
 - f. Nurses working under the direct supervision of such physicians, psychologists, or psychiatrists;
 - g. Certified clinical social workers and licensed clinical social workers;
 - h. Certified clinical specialists in psychiatric and mental health nursing;
 - i. Licensed professional counselors;
 - j. Certified fee-based practicing pastoral counselors;
 1. Substance abuse professionals certified under Article 5C of Chapter 90 of the General Statutes;
 - jl. Licensed marriage and family and therapists; and
 - k. In the absence of meeting one of the criteria above, the Mental Health Case Manager could consider, on a case-by-case basis, a provider who supplies:

1. Evidence of graduate education in the diagnosis and treatment of chemical dependency, and
2. Supervised work experience in the diagnosis and treatment of chemical dependency (with supervision by an appropriately credentialed provider), and
3. Substantive past and current continuing education in the diagnosis and treatment of chemical dependency commensurate with one's profession.

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."

SECTION 4. G.S. 90-270.18 reads as rewritten:

"§ 90-270.18. Disposition and schedule of fees.

(a) ~~All~~Except for fees paid directly to the vendor as provided in subdivision (b)(2) of this section, all fees derived from the operation of this Article shall be deposited with the State Treasurer to the credit of a revolving fund for the use of the Board in carrying out its functions. All fees derived from the operation of this Article shall be nonrefundable.

(b) Fees for activities specified by this Article are as follows:

- (1) Application fees for licensed psychologists and licensed psychological associates per G.S. 90-270.11(a) and (b)(1), or G.S. 90-270.13, shall not exceed one hundred dollars (\$100.00).
- (2) Fees for the national written examination shall be the cost of the examination ~~to the Board as set by the vendor~~ plus an additional fee not to exceed fifty dollars (\$50.00). The Board may require applicants to pay the fee directly to the vendor.
- (3) Fees for additional examinations shall be as prescribed by the Board.
- (4) Fees for the renewal of licenses, per G.S. 90-270.14(a)(1), shall not exceed two hundred fifty dollars (\$250.00) per biennium. This fee may not be prorated.
- (5) Late fees for license renewal, per G.S. 90-270.14(a)(1), shall be twenty-five dollars (\$25.00).
- (6) Fees for the reinstatement of a license, per G.S. 90-270.15(f), shall not exceed one hundred dollars (\$100.00).
- (7) Fees for a duplicate license, per G.S. 90-270.14(b), shall be twenty-five dollars (\$25.00).
- (8) Fees for a temporary license, per G.S. 90-270.5(f) and 90-270.5(g), shall be ~~twenty-five~~ thirty-five dollars ~~(\$25.00)~~ (\$35.00).
- (9) Application fees for a health services provider certificate, per G.S. 90-270.20, shall be fifty dollars (\$50.00).

(c) The Board may specify reasonable charges for duplication services, materials, and returned bank items in its rules."

SECTION 5. This act becomes effective January 1, 2004, and applies to services rendered by psychological associates on and after that date.

In the General Assembly read three times and ratified this the 17th day of July, 2003.

Beverly E. Perdue
President of the Senate

James B. Black
Speaker of the House of Representatives

Michael F. Easley
Governor

Approved _____m. this _____ day of _____, 2003