Sixty-fourth Legislative Assembly of North Dakota
In Regular Session Commencing Tuesday, January 6, 2015

HOUSE BILL NO. 1049
(Legislative Management)
(Human Services Committee)

AN ACT to create and enact a new section to chapter 43-45 of the North Dakota Century Code, relating to loans for certain behavioral health professions; to amend and reenact section 43-45-04 of the North Dakota Century Code, relating to duties of the board of addiction counseling examiners; to provide for a statement of legislative intent; to provide for reports to the legislative management; to provide an appropriation; to provide a continuing appropriation; and to provide for a transfer.

BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:

SECTION 1. AMENDMENT. Section 43-45-04 of the North Dakota Century Code is amended and reenacted as follows:

43-45-04. Board power, duties, and authority.

1. The board shall:

   a. Administer and enforce the provisions of this chapter.

   b. Evaluate the qualifications of applicants for a license to practice addiction counseling and issue licenses under this chapter.

   c. Establish ethical standards of practice for persons holding a license to practice addiction counseling in this state.

   d. Establish continuing education requirements and approve providers of continuing education.

   e. Approve clinical training programs.

   f. Register clinical trainees.

   g. Register interns.

   h. Register clinical supervisors.

   i. Register licensees for private practice.

   j. Approve and administer examinations.

   <u>k. Periodically evaluate initial licensure coursework requirements and clinical training requirements to ensure the requirements are up to date and do not serve as an undue barrier to licensure.</u>

2. The board may:

   a. Adopt rules under chapter 28-32 to implement this chapter.

   b. Issue subpoenas, examine witnesses, and administer oaths, and may investigate allegations of practices violating the provisions of this chapter.

   c. Recommend prosecution for violations of this chapter to the appropriate state's attorney.

d. Recommend that the attorney general bring civil actions to seek injunctive and other relief against violations of this chapter.

e. Collect fees for examinations, initial licensures, renewal of licenses, late renewals, private practice registrations, renewal of private practice registrations, approval of continuing education providers, and administrative fees. The fees must be established by rule in amounts necessary to compensate the board for administration and enforcement of this chapter.

f. Employ persons to assist the board in carrying out its duties under this chapter.

SECTION 2. A new section to chapter 43-45 of the North Dakota Century Code is created and enacted as follows:

Addiction counseling internship - Loan program - Revolving fund - Continuing appropriation.

1. a. The Bank of North Dakota shall develop and implement a program under which loans may be provided to qualified individuals participating in a paid or unpaid internship at a licensed substance abuse treatment facility in this state, in order to obtain licensure as an addiction counselor.

   b. The Bank of North Dakota shall determine all terms applicable to the time and manner in which loans made under this section must be repaid.

   c. Interest on outstanding loans under this section must accrue at the Bank of North Dakota's current base rate, but may not exceed six percent per annum.

   d. The maximum loan for which an applicant may qualify under this section is seven thousand five hundred dollars.

   e. This subsection is applicable only to individuals beginning an internship after June 30, 2015.

2. The Bank of North Dakota shall maintain a revolving loan fund for the purpose of making loans under this section. All moneys transferred into the fund, interest upon moneys in the fund, and payments to the fund of principal and interest on loans under this section are appropriated to the Bank on a continuing basis.

SECTION 3. LEGISLATIVE INTENT - ASSESSMENT OF INTERNSHIPS FOR ADDICTION COUNSELORS. The sixty-fourth legislative assembly recognizes that as dedicated funding becomes available in the future, the center for rural health at the university of North Dakota school of medicine and health sciences has the infrastructure, expertise, experience, and established relationships to provide a statewide assessment of viable internship sites for addiction counselors and to implement and provide oversight for such a program, in partnership with academic professionals in addiction counseling.

SECTION 4. BOARD OF ADDICTION COUNSELING EXAMINERS - LEGISLATIVE MANAGEMENT REPORT. The board of addiction counseling examiners shall evaluate the initial licensure coursework requirements and clinical training requirements noted in subsection 1 of section 43-45-04. Before July 1, 2016, the board of addiction counseling examiners shall report on the status of the periodic evaluation of those requirements to the legislative management.

SECTION 5. APPROPRIATION - TRANSFER - ADDICTION COUNSELOR INTERNSHIP LOAN PROGRAM - REVOLVING FUND. There is appropriated out of any moneys in the student loan trust fund in the state treasury, not otherwise appropriated, the sum of $200,000, or so much of the sum as may be necessary, which the director of the office of management and budget shall transfer to the Bank

of North Dakota, for purposes of the addiction counselor internship loan program revolving fund, as created by section 2 of this Act.

Speaker of the House

President of the Senate

Chief Clerk of the House

Secretary of the Senate

This certifies that the within bill originated in the House of Representatives of the Sixty-fourth Legislative Assembly of North Dakota and is known on the records of that body as House Bill No. 1049.

House Vote:	Yeas 81	Nays 8	Absent 5
Senate Vote:	Yeas 46	Nays 1	Absent 0

Chief Clerk of the House

Received by the Governor at 8:19 A.M. on April 27, 2015.

Approved at 3:33 P.M. on April 27, 2015.

Governor

Filed in this office this 27th day of April, 2015,

at 4:37 o'clock P.M.

Secretary of State