

**Sixty-ninth Legislative Assembly of North Dakota
In Regular Session Commencing Tuesday, January 7, 2025**

SENATE BILL NO. 2079
(Human Services Committee)
(At the request of the Department of Health and Human Services)

AN ACT to amend and reenact section 25-01-01 of the North Dakota Century Code, relating to the definition of a mental health professional.

BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:

SECTION 1. AMENDMENT. Section 25-01-01 of the North Dakota Century Code is amended and reenacted as follows:

25-01-01. Definitions.

In this title, unless the context or subject matter otherwise requires:

1. "Licensed physician" means an individual licensed under the laws of this state to practice medicine and also means a medical officer of the government of the United States while in this state in the performance of the physician's official duties.
2. "Mentally ill individual" means an individual having a psychiatric or other disease which substantially impairs the individual's mental health.
3. "North Dakota vision services - school for the blind" means the North Dakota vision services - school for the blind as maintained under section 25-06-01.
4. "School for the deaf" means the school for the deaf of North Dakota.
5. "State hospital" means the state hospital for the mentally ill.
6. "Superintendent" means the superintendent of the state hospital, of the life skills and transition center, of North Dakota vision services - school for the blind, or of the school for the deaf, as the case may be.
7. "Supervising officer" means the commissioner of the department of health and human services or designee or the superintendent of public instruction, as the case may be.
8. "Tier 1 mental health professional" means a tier 1a or tier 1b mental health professional.
 - a. A tier 1a mental health professional is a psychiatrist licensed under chapter 43-17 or a psychologist licensed under chapter 43-32.
 - b. A tier 1b mental health professional is a licensed physician or a physician assistant licensed under chapter 43-17 or an advanced practice registered nurse licensed under chapter 43-12.
9. "Tier 2 mental health professional" means a tier 2a or a tier 2b mental health professional.
 - a. A tier 2a mental health professional is an independent clinician who is a licensed clinical social worker licensed under chapter 43-41, a licensed professional clinical counselor or licensed professional counselor licensed under chapter 43-47, or a licensed marriage and family therapist licensed under chapter 43-53.
 - b. A tier 2b mental health professional is an addiction counselor licensed under chapter 43-45 or a registered nurse licensed under chapter 43-12.

10. "Tier 3 mental health professional" means a licensed associate professional counselor licensed under chapter 43-47, a licensed master social worker or licensed baccalaureate social worker licensed under chapter 43-41, ~~a licensed professional counselor licensed under chapter 43-47~~, an associate marriage and family therapist licensed under chapter 43-53, an occupational therapist licensed under chapter 43-40, a licensed practical nurse licensed under chapter 43-12, a behavior analyst licensed or registered under chapter 43-32, a vocational rehabilitation counselor practicing under chapter 50-06.1, a school psychologist, or a human relations counselor.
11. "Tier 4 mental health professional" means a direct care associate ~~or~~ technician, or certified peer support specialist.

Brad Beland
President of the Senate

Rahm Iversen
Speaker of the House

Manda Moga
Secretary of the Senate

Bruce J. Riest
Chief Clerk of the House

This certifies that the within bill originated in the Senate of the Sixty-ninth Legislative Assembly of North Dakota and is known on the records of that body as Senate Bill No. 2079.

Senate Vote: Yeas 47 Nays 0 Absent 0
House Vote: Yeas 93 Nays 0 Absent 1

Manda Moga
Secretary of the Senate

Received by the Governor at 3:08 P M. on March 14, 2025.

Approved at 3:56 P M. on March 17, 2025.

[Signature]
Governor

Filed in this office this 18th day of March, 2025,
at 2:23 o'clock P M.

Michael Howe
Secretary of State