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NDBACE Testimony for the ND Acute Psychiatric Treatment Committee  
Representative Jon Nelson, Chair  
Thursday, January 20, 2022

Good Afternoon Chairman Nelson and members of the Acute Psychiatric Treatment Committee,

My name is Patti Senn and I am a Licensed Master Addiction Counselor and I am a current board member of the ND Addiction Counseling Examiners. The 1987 Legislative Assembly established the North Dakota Board of Addiction Counseling Examiners. The purpose of our Board is to carry out the laws and rules that outline the minimum standards for the license of addiction counselors. At present there are 384 licensees in North Dakota. This number is misleading as we just finished a renewal cycle and 42 counselors did not renew their license. Each year we gain on average 25 new licensees so we anticipate more than making up for the non-renewals. Between 2015 and 2020 (which represents 3 renewal cycles) we had 124 non renewals and 144 new licensees. Non-renewals can be licensees leaving the profession for various reasons or leaving due to retirement. In 2014, 50% of our licensees were age 50 and older. As of 2022, 36% are age 50 and older. This younger workforce is a good sign that we will be able to increase the overall licensed counselors working in the state of North Dakota.

In our Rules we have done things like establishing core curriculum requirements; setting standards for the approval of addiction counselor training programs, internship, and clinical supervisors; and establishing requirements for the private practice of addiction counseling. Over the years we have had numerous updates to these laws and rules. The most recent major revisions to NDAC Title 4.5 went into effect July 1, 2018. These changes targeted specific aspects that some perceived as unnecessary barriers around clinical training requirements and licensure by reciprocity. We created a career ladder that enhanced our profession with the development of an advanced practice category and we built bridges for other disciplines to become dually licensed.

A summary of a few of these rule changes include:

- Expansion of the addiction counselor intern role to accommodate a professional from another jurisdiction that does not entirely meet reciprocity requirements (perhaps they moved here just before they finished their schooling and might have a class or two to complete). We let them into our workforce immediately, while they wrap up that class, thereby allowing them to participate in the workforce, earn an income, and perform addiction counseling in fully supervised settings.
- Adding a new avenue for licensure reciprocity —one that allows immediate licensure for those applicants with current national certification of NAADAC Level II and NAADAC MAC. We have granted 5 licenses because of this new process.
- Academic requirements were updated to allow multiple tiers of licensure so now there are clear paths for applicants who have either bachelor's or master's degrees.
- One part of our laws explains that applicants must have a certain number of hours earned under supervision before applicants can be fully licensed. In the past, all those hours had to be earned at training sites we often refer to as 'training consortium sites.' That was the case because we felt confident in the quality of the training those sites provided. But it has shortcomings because sometimes an applicant's circumstances aren't perfectly suited for doing their training in other places. We made changes to those Clinical training requirements as follows:

- a) we increased flexibility by changing the rules to allow training to occur outside of training consortiums—now training can occur at individual sites and through programs put in place by universities. Since this change, we have had 11 individual training plans reflecting a more flexible process.
  - b) The rule used to require 1400 hours for any applicant to be licensed. By creating the tiers of licensure, we were able to reduce that requirement while still ensuring quality. Specifically, for those who have a bachelor's degree, they now need to earn 960 hours to qualify as an LAC, while those with master's degrees need to have earned 700 hours.
  - c) And we provided a special track only requiring 350 clinical training hours for other ND licensed professionals who want to also be licensed by our board (nothing preventing them from doing work already within the scope of their practice) To date we have only had one North Dakota professional take advantage of this opportunity.
- Minor adjustments to fees, continuing education, private practice, code of ethics, and complaint procedure (Fee Schedule attached)

A subsequent update of NDCC 43-45-05.1(3)(b) went into effect August 1, 2019. This update specifically targeted individuals that were licensed from other states requesting licensure by reciprocity by giving our board two paths to reciprocity:

- The statute already allowed this path to licensure by reciprocity—NDCC 43-45-05.1(3)(a)—license by reciprocity granted because the applicant has a license from another state and the laws of the other state and ND, at the time the applicant received that other license, were substantially similar. No applicants have been approved through this traditional pathway since 2019.
- In 2019, the law was modified to add yet another path to licensure by reciprocity. Specifically, NDCC 43-41-05.1(3)(b)—license by reciprocity granted because the applicant has a license from another state and the applicant has **experience and qualifications substantially similar to NDs today standards.** 8 applicants have been granted licensure through this new reciprocity process and we have an additional 3 being considered at our next board meeting.

This statute creates an easier path to licensure for applicants who have licenses from other states because we can consider years of experience in addition to ND standards and we can apply them to applicants from ANY state.

One additional step we took in an attempt to reduce barriers was to begin meeting monthly versus quarterly. The North Dakota Board of Addiction Counseling Examiners has met every month to conduct our business since June of 2020.

Our board consists of seven members appointed by the governor. Four members are licensed practicing addiction counselors, two members are laypersons, and one member is a licensed addiction counselor in private practice. The appointment is for three-year terms, but no person may be appointed to serve for more than two consecutive terms. The average length of service for our board members is 3.5 years. The training requirements for our board members and executive directors is that our members are expected to attend the seminar put on by the Office of the Attorney General. That seminar occurred in 2018, 2019, and 2021.

This concludes my testimony and I would be glad to stand for any questions.

## NDBACE Fee Schedule

January 20, 2022

### Pricing

<b>LICENSE</b>	<b>FEE</b>	<b>FEE + PAYPAL FEE</b>
Mailing List	\$50.00	\$51.80
NDBACE Admin Written Exam	\$50.00	\$51.80
Approved Program Application	\$50.00	\$51.80
LMAC Grandfather Form	\$75.00	\$77.54
LCAC Grandfather Form	\$75.00	\$77.54
July-Dec of odd-year License Application fee	\$100.00	\$103.29
Jan-July of odd-year License Application fee	\$150.00	\$154.78
Private Practice Initial Fee	\$200.00	\$206.28
Late fee	\$200.00	\$206.28
July-Dec of even-year License Application	\$250.00	\$257.77
Approved Provider Application	\$250.00	\$257.77
Jan-July of even-year License Application	\$300.00	\$309.26
Biennial renewal of license	\$300.00	\$309.26