CHAPTER 111-02-04
LICENSEE - RENEWAL OF LICENSE AND FEES

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111-02-04-01. Renewal of license and fees.

1. Licenses issued by the board must be renewed biennially upon the payment of the renewal fee required in subsection 4, completion of a renewal application, and the attested reporting of continuing education requirements in section 111-02-01-06. Licensed associates renew on an annual basis up to forty-eight months.

2. The board shall send the licensee a written renewal notice identifying the amount of the renewal fee. The notice shall be sent to the licensee's last-known address on record with the board. A licensee must notify the board in writing of any change of name, address, and cell, residential, or business telephone numbers within thirty days after any change. Failure to receive the renewal notice does not relieve the licensee of the obligation to renew the license.

3. The licensee must submit to the board a completed renewal application on a form provided by the board. The licensee must submit the renewal application so that the application is postmarked on or before December thirty-first. If the postmark is illegible, the renewal application is timely if received in the board office by mail on the first workday after December thirty-first.

4. The original license fee is three hundred twenty-eight dollars. The renewal license fee is two hundred eighty-eight dollars. These fees must accompany the original and renewal applications to be complete. The licensed associate original fee is one hundred thirty dollars. The renewal associate fee is seventy-five dollars per year.

   Other fees:

   a. Application for admission to the written examination fee shall be the current rate as established by the association of marriage and family therapy regulatory boards and a written examination fee in accordance with the current contracted examination fee.

   b. Application for original licensure by endorsement fee, three hundred forty dollars.

   c. Oral examination fee, forty dollars.

   d. Duplicate license fee, fifteen dollars. Duplicate wallet renewal card, fifteen dollars.

   e. Sponsor's application for approval of a continuing education course fee, one hundred dollars.

   f. Late fee for renewal, one hundred dollars postmarked one through three hundred sixty-five days late. Licensed associate late fee, fifty dollars postmarked one through three hundred sixty-five days late.

   g. Renewal application fee for a licensed associate marriage and family therapy license fee, forty dollars. Renewal application fee for a licensed marriage and family therapist, forty dollars.

h. Renewal of associate marriage and family therapy license annual fee, seventy-five dollars. May be renewed up to four years or three renewals.

i. The cost of background checks are the burden of the applicant.

j. The one-time emeritus license fee, two hundred dollars.

k. License verification fee, twenty-five dollars.

5. Failure to renew.

a. The following procedure applies if a licensee fails to submit the renewal application according to subsection 3 or fails to fulfill or report continuing education requirements in section 111-02-01-06.

b. If the licensee fails to submit to the board the renewal application, information about continuing education requirements, and the renewal fees specified in subsection 4, on or before December thirty-first, the license expires and the licensee's right to practice terminates on December thirty-first. The board shall mail to the former licensee a written notice that the licensee's license has expired and the licensee's right to practice has terminated. The board shall send the notice to the licensee's last-known address on record with the board. The board shall instruct the former licensee to promptly return the licensee's board-issued license certificate, written in calligraphy, to the board office.

c. A license that expired under this section may be reinstated under section 111-02-04-03.

History: Effective July 1, 2010; amended effective January 1, 2018; April 1, 2024.
General Authority: NDCC 43-53-05
Law Implemented: NDCC 43-53-06, 43-53-09

111-02-04-02. Term of license.

1. An original license is effective after:

a. The board notifies the applicant in writing that the applicant has been approved for licensure;

b. The applicant has paid the original license fee in subsection 4 of section 111-02-04-01;

c. The board assigns a license number to the applicant; and

d. The applicant has met all the requirements of the application and has completed the oral exam and background check.

2. An original license granted by the board is valid for a two-year period beginning with the effective date in subsection 1 and ending on December thirty-first of the biennial year in which the license was initially granted. For example, an original license granted on May 6, 2017, is valid from May 6, 2017, to December 31, 2019. A subsequent renewal license is valid for a two-year period ending on December thirty-first, and shall prorate the fees per month which are not covered in the original license fee. For example, an original license which was granted on May 6, 2017, expires on December 31, 2019. The months not covered by the original license fees are seven, from May through December. The license must be renewed for a two-year period according to the procedures in section 111-02-04-01.

3. A provisional license is effective after:

a. The board notifies the applicant in writing that the applicant has been approved for a provisional license;

b. The applicant has paid the original license fee in subsection 4 of section 111-02-04-01;

c. The board assigns a license number to the applicant; and

d. The applicant has submitted an application with all necessary documentation and two board members have approved the application as having met requirements and an oral exam is scheduled.

4. The provisional license allows an applicant to practice as an LMFT with all the privileges and responsibilities of the profession. This allows a potential licensee to practice prior to being granted full license, completing the oral exam, and obtaining a full license. A provisional license expires after four months. A provisional license will automatically expire if an applicant does not pass the oral exam.

5. A licensed marriage and family therapist or an associate marriage and family therapist must display the therapist's license and evidence of current renewal in a conspicuous place in the therapist's office or place of business or employment. Evidence of current renewal will be provided by the board upon renewal of the license. A duplicate license shall be issued to a licensee after the licensee requests a duplicate license from the board and the fee is paid.

History: Effective July 1, 2010; amended effective January 1, 2018; April 1, 2024.
General Authority: NDCC 43-32-02, 43-53-05
Law Implemented: NDCC 43-53-06, 43-53-09

111-02-04-03. Reinstatement of license.

1. A license that has expired under subsection 5 of section 111-02-04-01 may be reinstated if:

   a. No fact, circumstance, or condition exists which, if the license were reinstated, would justify its revocation or suspension;

   b. The former licensee verifies that the former licensee has not engaged in the practice of marriage and family therapy in this state or any other jurisdiction, or used a title denoting marriage and family therapist since expiration of the license unless licensed by another jurisdiction. The verification must be accompanied by an affirmation that the statement is true and correct to the best knowledge and belief of the former licensee;

   c. The former licensee submits to the board a completed application for reinstatement on a form provided by the board;

   d. The former licensee pays the late fee specified in subsection 4 of section 111-02-04-01;

   e. The former licensee includes with the application for reinstatement a letter stating the reasons for applying for reinstatement; and

   f. The former licensee complies with the applicable provisions of subsections 2 and 3.

2. A former licensee whose license expired under subsection 5 of section 111-02-04-01 less than five years previous to the application for reinstatement must:

   a. Submit evidence of meeting the continuing education requirements that would have applied to the former licensee if the license had not expired; and

   b. Pay the late fee specified in subsection 4 of section 111-02-04-01, for each of the years between the date the license expired and the date the former licensee submits a reinstatement application.

3. A former licensee whose license expired under subsection 5 of section 111-02-04-01 five years or more before the application for reinstatement must:

   a. Retake the written examination required for licensure of marriage and family therapists given by the board according to section 111-02-03-02;

   b. Submit evidence of meeting the continuing education requirements that would have applied to the former licensee if the license had not expired; and

   c. Pay the late fee specified in subsection 4 of section 111-02-04-01 for each of the five years immediately preceding application for reinstatement.

4. A former licensee whose license expired under subsection 5 of section 111-02-04-01 and who has actively been practicing in another state under an equivalent marriage and family license, before applying for reinstatement:

   a. Shall submit evidence of meeting the continuing education requirements that would have applied to the former licensee if the license had not expired;

   b. Shall pay the licensure renewal fee and an additional one-hundred-dollar reinstatement fee;

   c. Shall provide documentation from the marriage and family therapy licensure board of the former licensee's current state of licensure to demonstrate the former licensee's license is current and in good standing; and

   d. May not have any pending or unresolved board investigations or complaints.

5. A former licensee who has engaged in the practice of marriage and family therapy in this state or used a title denoting marriage and family therapist since the date of expiration of the license is subject to denial of reinstatement or disciplinary action at the time of reinstatement. Nothing in this subsection precludes the board from seeking injunctive relief under applicable law for the unauthorized practice of marriage and family therapy or from referring the matter to criminal law enforcement officials.

6. Upon reinstatement, the licensee shall be assigned the same license number which the licensee was assigned before expiration of the license.

History: Effective July 1, 2010; amended effective April 1, 2024.
General Authority: NDCC 43-53-05
Law Implemented: NDCC 43-53-06

111-02-04-04. Surrender of license.

1. A license may be surrendered at any time upon written request by the licensee to the board, unless a complaint is pending against the licensee. If a complaint is pending against a licensee, a license may not be voluntarily surrendered until any indicated action relative to the complaint is concluded. The board must receive the request to surrender before expiration of the license for failure to renew under subsection 5 of section 111-02-04-01. A licensee who has voluntarily surrendered the license may be relicensed by complying with the requirements for reinstatement of an expired license in section 111-02-04-03, except that payment of the renewal fees shall not be required, unless the license has passed the original expiration date.

2. Involuntary surrender of license. A license may be temporarily suspended by the board under North Dakota Century Code section 43-53-10.1 if after investigation of misconduct the board deems a licensee to be in violation of ethical and professional standards and disciplinary action proceedings are in process.

History: Effective July 1, 2010; amended effective January 1, 2018; April 1, 2024.
General Authority: NDCC 43-53-05
Law Implemented: NDCC 43-53-06, 43-53-10.1

111-02-04-05. Emeritus license status.

1. A marriage and family therapist duly licensed to practice marriage and family therapy in the state under North Dakota Century Code chapter 43-53, who has reached the age of sixty-two and is retired from the active practice of marriage and family therapy, may apply to the board for emeritus status:

   a. By indicating on the licensee's renewal form or by petitioning the board in writing; and

   b. By indicating the licensee has not been the subject of disciplinary action resulting in the suspension, revocation, qualification, condition, or restriction to practice marriage and family therapy.

2. A licensee who has emeritus status shall not engage in marriage and family therapy practice or practice as a mental health professional as defined in North Dakota Century Code title 43.

3. Continuing education requirements are not applicable to emeritus status.

4. In the exceptional case that a marriage and family therapist issued an emeritus license should wish to resume practice, the board shall reactivate the license according to the procedure in section 111-02-04-03.

History: Effective July 1, 2010.
General Authority: NDCC 28-32-02, 43-53-05
Law Implemented: NDCC 43-53-06