

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2003

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HOUSE BILL 1049
Committee Substitute Favorable 6/5/03

Short Title: Licensed Psych. Assoc./Insurance Payments.

(Public)

Sponsors:

Referred to:

April 10, 2003

A BILL TO BE ENTITLED

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(5) Repealed by Session Laws 1997-512, s. 14.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~~

1 ~~licensed or certified doctor of psychology;~~Licensed psychological
2 associates;

3 (7), (8) Repealed by Session Laws 1997-512, s. 14.

4 (9) Certified fee-based practicing pastoral counselors;

5 (10) Licensed physician assistants under the supervision of a licensed
6 psychiatrist and acting pursuant to G.S. 90-18.1 or the applicable laws
7 and rules of the area in which the physician assistant is licensed or
8 certified; and

9 (11) Licensed marriage and family therapists."

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

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

14 (1) The following providers with appropriate substance abuse training and
15 experience in the field of alcohol and other drug abuse as determined
16 by the mental health case manager, in facilities described in
17 subdivision (b)(2) of this section, in day/night programs or outpatient
18 treatment facilities licensed after July 1, 1984, under Article 2 of
19 Chapter 122C of the General Statutes or in North Carolina area
20 programs in substance abuse services are authorized to provide
21 treatment for chemical dependency under this section:

22 a. Licensed physicians including, but not limited to, physicians
23 who are certified in substance abuse by the American Society of
24 Addiction Medicine (ASAM);

25 b. Licensed or certified psychologists;

26 c. Psychiatrists;

27 d. Certified substance abuse counselors working under the direct
28 supervision of such physicians, psychologists, or psychiatrists;

29 e. ~~Psychological associates with a masters degree in psychology~~
30 ~~working under the direct supervision of such physicians,~~
31 ~~psychologists, or psychiatrists;~~ Licensed psychological
32 associates;

33 f. Nurses working under the direct supervision of such physicians,
34 psychologists, or psychiatrists;

35 g. Certified clinical social workers and licensed clinical social
36 workers;

37 h. Certified clinical specialists in psychiatric and mental health
38 nursing;

39 i. Licensed professional counselors;

40 j. Certified fee-based practicing pastoral counselors;

41 k. Substance abuse professionals certified under Article 5C of
42 Chapter 90 of the General Statutes; and

43 l. Licensed marriage and family and therapists.

- 1 (2) The following providers with appropriate substance abuse training and
2 experience in the field of alcohol and other drug abuse as determined
3 by the mental health case manager are authorized to provide treatment
4 for chemical dependency in outpatient practice settings:
- 5 a. Licensed physicians including, but not limited to, physicians
6 who are certified in substance abuse by the American Society of
7 Addiction Medicine (ASAM);
 - 8 b. Licensed or certified psychologists;
 - 9 c. Psychiatrists;
 - 10 d. Certified substance abuse counselors working under the direct
11 supervision of such physicians, psychologists, or psychiatrists;
 - 12 e. ~~Psychological associates with a masters degree in psychology~~
13 ~~working under the direct supervision of such physicians,~~
14 ~~psychologists, or psychiatrists;~~ Licensed psychological
15 associates;
 - 16 f. Nurses working under the direct supervision of such physicians,
17 psychologists, or psychiatrists;
 - 18 g. Certified clinical social workers and licensed clinical social
19 workers;
 - 20 h. Certified clinical specialists in psychiatric and mental health
21 nursing;
 - 22 i. Licensed professional counselors;
 - 23 j. Certified fee-based practicing pastoral counselors;
 - 24 1. Substance abuse professionals certified under Article 5C
25 of Chapter 90 of the General Statutes;
 - 26 jl. Licensed marriage and family and therapists; and
 - 27 k. In the absence of meeting one of the criteria above, the Mental
28 Health Case Manager could consider, on a case-by-case basis, a
29 provider who supplies:
 - 30 1. Evidence of graduate education in the diagnosis and
31 treatment of chemical dependency, and
 - 32 2. Supervised work experience in the diagnosis and
33 treatment of chemical dependency (with supervision by
34 an appropriately credentialed provider), and
 - 35 3. Substantive past and current continuing education in the
36 diagnosis and treatment of chemical dependency
37 commensurate with one's profession.

38 Provided, however, that nothing in this subsection shall prohibit the Plan from
39 requiring the most cost-effective treatment setting to be utilized by the person
40 undergoing necessary care and treatment for chemical dependency."

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

42 "**§ 90-270.18. Disposition and schedule of fees.**

43 (a) ~~All~~Except as provided in subdivision (b)(2) of this section, all fees derived
44 from the operation of this Article shall be deposited with the State Treasurer to the

1 credit of a revolving fund for the use of the Board in carrying out its functions. All fees
2 derived from the operation of this Article shall be nonrefundable.

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

4 (1) Application fees for licensed psychologists and licensed psychological
5 associates per G.S. 90-270.11(a) and (b)(1), or G.S. 90-270.13, shall
6 not exceed one hundred dollars (\$100.00).

7 (2) Fees for the national written examination shall be the cost of the
8 examination ~~to the Board~~ as set by the vendor plus an additional fee
9 not to exceed fifty dollars (\$50.00). The Board may require applicants
10 to pay the fee directly to the vendor.

11 (3) Fees for additional examinations shall be as prescribed by the Board.

12 (4) Fees for the renewal of licenses, per G.S. 90-270.14(a)(1), shall not
13 exceed two hundred fifty dollars (\$250.00) per biennium. This fee may
14 not be prorated.

15 (5) Late fees for license renewal, per G.S. 90-270.14(a)(1), shall be
16 twenty-five dollars (\$25.00).

17 (6) Fees for the reinstatement of a license, per G.S. 90-270.15(f), shall not
18 exceed one hundred dollars (\$100.00).

19 (7) Fees for a duplicate license, per G.S. 90-270.14(b), shall be
20 twenty-five dollars (\$25.00).

21 (8) Fees for a temporary license, per G.S. 90-270.5(f) and 90-270.5(g),
22 shall be ~~twenty-five~~ thirty-five dollars ~~(\$25.00)~~ (\$35.00).

23 (9) Application fees for a health services provider certificate, per G.S.
24 90-270.20, shall be fifty dollars (\$50.00).

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

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