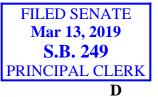
GENERAL ASSEMBLY OF NORTH CAROLINA SESSION 2019



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SENATE BILL DRS45035-MG-39

Short Title:	Allow LMFTs to Conduct First-Level IVC Exams.	(Public)
Sponsors:	Senators Krawiec, Hise, and Bishop (Primary Sponsors).	
Referred to:		

1		A BILL TO BE ENTITLED
2	AN ACT AUTHORIZ	ING THE SECRETARY OF HEALTH AND HUMAN SERVICES TO
3	ALLOW LICENS	SED MARRIAGE AND FAMILY THERAPISTS TO CONDUCT
4	INITIAL (FIRST-I	LEVEL) EXAMINATIONS FOR INVOLUNTARY COMMITMENT OF
5	INDIVIDUALS W	TTH MENTAL ILLNESS OR SUBSTANCE USE DISORDERS.
6	The General Assembly	of North Carolina enacts:
7	SECTION	1. G.S. 122C-263.1(a), as amended by Section 25 of S.L. 2018-33, reads
8	as rewritten:	
9	"(a) Physicians	and eligible psychologists are qualified to perform the commitment
10	examinations required	under G.S. 122C-263(c) and G.S. 122C-283(c). The Secretary of Health
11		may individually certify to perform the first commitment examinations
12	1 V	2-261 through G.S. 122C-263 and G.S. 122C-281 through G.S. 122C-283
13		ealth, and substance abuse professionals whose scope of practice includes
14	0 0	enting psychiatric or substance use disorders and conducting mental status
15		nine capacity to give informed consent to treatment as follows:
16	(1) The	Secretary has received a request:
17	a.	To certify a licensed clinical social worker, a master's or higher level
18		degree nurse practitioner, a licensed professional counsellor,
19		<u>counselor</u> , or a physician's assistant physician assistant to conduct the
20		first examinations described in G.S. 122C-263(c) and
21	1	G.S. 122C-283(c).
22	b.	To certify a master's level licensed clinical addictions specialist to
23 24	(1) The	conduct the first examination described in G.S. 122C-283(c).
24 25	(2) The Secretary shall review the request and may approve it upon finding all of the following:	
23 26		
20 27	a. b., c	The request meets the requirements of this section.Repealed by Session Laws 2018-33, s. 25, effective October 1, 2019.
28	d.	The Department determines that the applicant possesses the
28 29	u.	professional licensure, registration, or certification to qualify the
30		applicant as a professional whose scope of practice includes
31		diagnosing and documenting psychiatric or substance use disorders
32		and conducting mental status examinations to determine capacity to
33		give informed consent to treatment.
34	e.	The applicant for certification has successfully completed the
35		Department's standardized training program for involuntary
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		commitment and has successfully passed the examination for that
		program.
	(3)	Repealed by Session Laws 2018-33, s. 25, effective October 1, 2019.
	(4)	A certification granted by the Secretary under this section shall be in effect
		for a period of up to three years and may be rescinded at any time within this
		period if the Secretary finds the certified individual has failed to meet the
		requirements of this section. Certification may be renewed every three years
		upon completion of a refresher training program approved by the Department.
	(5)	In no event shall the certification of a licensed clinical social worker, master's
		or higher level degree nurse practitioner, licensed professional counsellor,
		counselor, physician assistant, licensed marriage and family therapist, or
		master's level certified clinical addictions specialist under this section be
		construed as authorization to expand the scope of practice of the licensed
		clinical social worker, the master's level nurse practitioner, licensed
		professional counsellor, counselor, physician assistant, licensed marriage and
		family therapist, or the master's level certified clinical addictions specialist.
	(6)	The Department shall require that individuals certified to perform initial
		examinations under this section have successfully completed the Department's
		standardized involuntary commitment training program and examination. The
		Department shall maintain a list of these individuals on its Internet Web site.
	(7)	Repealed by Session Laws 2018-33, s. 25, effective October 1, 2019.
	(7a)	No less than annually, the Department shall submit a list of certified first
		commitment examiners to the Chief District Court Judge of each judicial
		district in North Carolina and maintain a current list of certified first
		commitment examiners on its Internet Web site.
	(8)	A master's level licensed clinical addiction specialist shall only be authorized
		to conduct the initial examination of individuals meeting the criteria of
		G.S. 122C-281(a)."
	SECT	FION 2. This act becomes effective October 1, 2019.