

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2023

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SENATE BILL DRS45241-ST-35

Short Title: Modernize Reg/Master's Level Psychologists. (Public)

Sponsors: Senator Burgin (Primary Sponsor).

Referred to:

A BILL TO BE ENTITLED
AN ACT TO REDUCE THE UNNECESSARY REGULATORY BURDEN ON MASTER'S
LEVEL PSYCHOLOGISTS AND TO INCREASE ACCESS TO QUALITY MENTAL
HEALTH CARE SERVICES FOR NORTH CAROLINIANS.

The General Assembly of North Carolina enacts:

SECTION 1. G.S. 90-270.139 reads as rewritten:

"§ 90-270.139. Application; examination; supervision; provisional and temporary licenses.

...

(e) A-Except as provided in subsection (e1) of this section:

(1) A licensed psychological associate shall be supervised by a qualified licensed psychologist, or other qualified professionals, in accordance with Board rules specifying the format, setting, content, time frame, amounts of supervision, qualifications of supervisors, disclosure of supervisory relationships, the organization of the supervised experience, and the nature of the responsibility assumed by the supervisor.

(2) A licensed psychological associate who provides health services shall be supervised, for those activities requiring supervision, supervised by a qualified licensed psychologist holding health services provider certification or by other qualified professionals under the overall direction of a qualified licensed psychologist holding health services provider certification, in accordance with Board rules.

(3) Except as provided below, supervision, Supervision, including the supervision of health services, is required only when a licensed psychological associate engages in: assessment of personality functioning; neuropsychological evaluation; psychotherapy, counseling, and other interventions with clinical populations for the purpose of preventing or eliminating symptomatic, maladaptive, or undesired behavior; and, the use of intrusive, punitive, or experimental procedures, techniques, or measures. The Board shall adopt rules implementing and defining this provision, and as in the practice of psychology evolves, may identify additional activities requiring supervision in order to maintain acceptable standards of practice psychology.

(e1) A licensed psychological associate is not subject to supervision by a qualified licensed psychologist and may engage in independent practice if the licensed psychological associate meets all of the following requirements:

(1) Has 3,000 hours of postgraduate degree experience in the delivery of psychological services under the supervision of one or more qualified licensed



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psychologists within a time period of at least 24 consecutive months and less than 60 consecutive months.

(2) Submits an application for independent practice with proof of the required supervision experience in subdivision (1) of this subsection.

(e2) The Board shall approve a licensed psychological associate to engage in independent practice if the licensed psychological associate meets the requirements of subsection (e1) of this section.

...."

SECTION 2. G.S. 90-270.153 is amended by adding a new subsection to read:

"(h) A licensed psychological associate who does not possess a certification as a health services provider psychological associate may, upon completion of the requirements specified in G.S. 90-270.139(e1), be granted certification as a health services provider psychological associate upon submission of the application fee in accordance with G.S. 90-270.151(b)(9)."

SECTION 3.(a) G.S. 90-270.140 reads as rewritten:

"§ 90-270.140. Psychology Board; appointment; term of office; composition.

(a) For the purpose of carrying out the provisions of this Article, there is created a North Carolina Psychology Board, which shall consist of seven members appointed by the Governor.

(b) At all times three members shall be licensed psychologists, two members shall be licensed psychological associates, and two members shall be members of the public who are not licensed under this Article. The Governor shall give due consideration to the adequate representation of the various fields and areas of practice of psychology and to adequate representation from various geographic regions in the State.

(c) Terms of office shall be three years. All terms of service on the Board expire June 30 in appropriate years. Each Board member shall serve until his or her successor has been appointed. As the term of a member expires, or if one should become vacant for any reason, the Governor shall appoint a new member within 60 days of the vacancy's occurring.

(d) As the term of a psychologist member expires, or as a vacancy of a psychologist member occurs for any other reason, the ~~North Carolina Psychological Association, or its successor, shall, having sought the advice of the chairs of the graduate departments of psychology in the State, for~~ Board shall solicit applications for membership from all licensees of the Board; from the applications, the Board shall submit the names of the applicants qualified in accordance with G.S. 90-270.139 to all licensees for a vote. For each vacancy, the Board shall submit to the Governor a list of the names of three eligible persons- applicants receiving the most votes from the licensees. From this list the Governor shall make the appointment for a full term, or for the remainder of the unexpired term, if any. ~~Each Board member shall serve until his or her successor has been appointed. As the term of a member expires, or if one should become vacant for any reason, the Governor shall appoint a new member within 60 days of the vacancy's occurring.~~

(e) No member, either public or licensed under this Article, shall serve more than three complete consecutive terms."

SECTION 3.(b) This section becomes effective October 1, 2023, and applies to vacancies existing on or after that date.

SECTION 4. Except as otherwise provided, this act becomes effective October 1, 2023.