

CHAPTER 53 - BOARD OF LICENSED CLINICAL MENTAL HEALTH COUNSELORS

SECTION .0100 - GENERAL INFORMATION

21 NCAC 53 .0101 ORGANIZATION

History Note: *Filed as a Temporary Rule Eff. February 21, 1984, for a Period of 120 Days to Expire on June 19, 1984;*
Authority G.S. 90-328;
Eff. July 1, 1984;
Repealed Eff. March 1, 1989 in accordance with G.S. 150B-59(c).

21 NCAC 53 .0102 PROFESSIONAL ETHICS

(a) The Board of Licensed Clinical Mental Health Counselors has adopted the American Counseling Association (ACA) Code of Ethics that are hereby incorporated by reference, including subsequent amendments and editions. A free copy may be obtained from the American Counseling Association online at www.counseling.org.
(b) In addition, the Board has adopted the Approved Clinical Supervisor (ACS) Code of Ethics promulgated by the Center for Credentialing and Education that are hereby incorporated by reference, including subsequent amendments and editions. A free copy may be obtained from the Center for Credentialing and Education online at www.cce-global.org.

History Note: *Authority G.S. 90-334(h);*
Temporary Rule Eff. February 21, 1984, for a Period of 120 Days to Expire on June 19, 1984;
Eff. July 1, 1984;
Amended Eff. July 1, 2014; January 1, 2010; July 1, 2006; July 1, 1994;
Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. April 27, 2019;
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21 NCAC 53 .0103 PURPOSE OF ORGANIZATION

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Authority G.S. 90-334; 1993 S.L. c. 514, s. 5;
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21 NCAC 53 .0104 ORGANIZATION OF THE BOARD

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Authority G.S. 90-334(b); 1993 S.L. c. 514, s.5;
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21 NCAC 53 .0105 MEETINGS

History Note: *Filed as a Temporary Rule Eff. February 21, 1984, for a Period of 120 Days to Expire on June 19, 1984;*
Authority G.S. 90-334; 1993 S.L. c. 514, s. 5;
Eff. July 1, 1984;
Repealed Eff. July 1, 1994.

SECTION .0200 - DEFINITIONS AND CLARIFICATION OF TERMS

21 NCAC 53 .0201 SUPERVISION

History Note: Filed as a Temporary Rule Eff. February 21, 1984, for a Period of 120 Days to Expire on June 19, 1984;
Authority G.S. 90-334; 90-336(b)(3); 1993 S.L. c. 514, s. 5;
Eff. July 1, 1984;
Amended Eff. April 1, 1989;
Repealed Eff. July 1, 1994.

21 NCAC 53 .0202 PRIVILEGED COMMUNICATION

Privileged Communication shall mean any communication between client and counselor, given in confidence and not intended to be disclosed to third persons other than those to whom disclosure is made in the furtherance of the rendition of professional services to the client.

History Note: Authority G.S. 8-53.8; 90-334;
Temporary Rule Eff. February 21, 1984, for a Period of 120 Days to Expire on June 19, 1984;
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Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. April 27, 2019.

21 NCAC 53 .0203 STATEMENT OF PROFESSIONAL INTENT

History Note: Filed as a Temporary Rule Eff. February 21, 1984, for a Period of 120 Days to Expire on June 19, 1984;
Authority G.S. 90-334; 90-336; 1993 S.L. c. 514, s. 5;
Eff. July 1, 1984;
Amended Eff. April 1, 1989;
Repealed Eff. July 1, 1994.

21 NCAC 53 .0204 PROFESSIONAL DISCLOSURE STATEMENT REQUIREMENTS FOR LCMHCA AND LCMHC

A Professional Disclosure Statement is a printed document that includes the following information:

- (1) name of licensee or applicant;
- (2) the licensee's or applicant's highest relevant degree, year degree received, discipline of degree, and name of institution granting the degree;
- (3) names and numbers of all relevant credentials licenses, certificates, or registrations;
- (4) number of years of counseling experience;
- (5) description of services offered and populations served;
- (6) length of sessions, specific fee or range of fees charged per session, if no fee is charged, a statement to that effect, and methods of payments for services, including information about billing or insurance reimbursement;
- (7) an explanation of confidentiality, including responsibilities and exceptions such as, child or elder abuse, court order;
- (8) a statement of procedure for registering complaints, including the full name, address, and telephone number of the Board's office;
- (9) signature and date spaces for both the client and licensee; and
- (10) level of licensure and whether the licensee is under supervision. If under supervision, include name of supervisor.

A current copy of this statement shall be provided to each client prior to the performance of professional counseling services. An updated Professional Disclosure Statement shall be submitted at the time of renewal to the Board's office at 2-C Terrace Way, Greensboro, NC 27403 or electronically by uploading on the Board's website at <https://portal.ncblcmhc.org/>. The counselor shall retain a file copy of the Professional Disclosure Statement signed by each client.

History Note: Authority G.S. 90-334; 90-343;
Eff. July 1, 1994;

*Amended Eff. July 1, 2014; January 1, 2010; July 1, 1995;
Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. April 27, 2019;
Amended Eff. July 1, 2022; March 1, 2022; January 1, 2020 (S.L. 2019-240), s.3.(k).*

21 NCAC 53 .0205 COUNSELING EXPERIENCE AND OUT OF STATE APPLICANTS

(a) The counseling experience required by G.S. 90-336(c)(2) shall include 2000 hours of direct counseling experience. "Direct Counseling Experience" shall consist of live contact with individuals, groups, or families through counseling as defined in G.S. 90-330(a)(3)a, b, and d. Experience shall be gained at a rate of no more than 40 hours per week. At least 100 hours of clinical supervision, as defined in Rule .0210 and Rule .0211 of this Section, shall be documented during the 3000 hours of supervised clinical mental health practice as defined in Rule .0208 of this Section. No less than three-quarters of the hours of clinical supervision shall be individual clinical supervision.

(b) Out of state applicants shall satisfy either requirements determined by the Board to be substantially similar to or exceeding those established under Chapter 90 Article 24 and these Rules, endorsements as stated in Rule .0304, or reciprocity agreements, if applicable.

(c) For purposes of this Rule, the term "reciprocity" means the ability of a mental health counselor with an active independent license that does not require supervision and is in good standing, to practice mental health counseling in another state or U.S. jurisdiction.

*History Note: Authority G.S. 90-334(h),(i); 90-336(c); 90-337;
Eff. July 1, 1995;
Amended Eff. July 1, 2014; January 1, 2010; July 1, 2006;
Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. April 27, 2019;
Amended Eff. July 1, 2022.*

21 NCAC 53 .0206 GRADUATE COUNSELING EXPERIENCE

(a) Applicants enrolled in master's programs before July 1, 2015, a separate practicum and an internship shall be completed as part of the graduate course of study with at least 17 hours of graduate counseling supervision, as defined in Rules .0210 and .0211 of this Section. Supervised graduate counseling shall be verified by a university faculty member on forms available on the Board's website, www.ncblcmhc.org, and shall consist of a minimum of 300 hours of supervised graduate counseling experience at a rate of not less than one hour of clinical supervision per 40 hours of graduate counseling experience, as defined by Rule .0701(2)(b) of this Chapter. At least 180 hours of this counseling experience shall be direct counseling experience as defined in Rule .0205 of this Section.

(b) Applicants who enroll in a master's program on or after July 1, 2015, graduate counseling experience shall consist of the following separate courses:

- (1) one or more courses in practicum totaling at least three semester hours or five quarter hours;
- (2) one or more courses in internship totaling at least three semester hours or five quarter hours; and
- (3) at least 17 hours of graduate counseling supervision as defined in Rules .0210 and .0211 of this Section.

Supervised graduate counseling shall be verified by a university faculty member on forms available on the Board's website, www.ncblcmhc.org, and shall consist of a minimum of 300 hours of graduate counseling experience at a rate of not less than one hour of clinical supervision per 40 hours of graduate counseling experience, as defined by Rule .0701(2)(b) of this Chapter. At least 180 hours of this counseling experience shall be direct counseling experience as defined in Rule .0205 of this Section.

*History Note: Authority G.S. 90-332.1(a)(3); 90-334(h),(i); 90-336(b)(1);
Eff. July 1, 1995;
Amended Eff. July 1, 2014; January 1, 2010;
Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. April 27, 2019;
Amended Eff. March 1, 2022.*

21 NCAC 53 .0207 PROFESSIONAL SETTING

History Note: Authority G.S. 90-334(i); 90-336(b)(2);
Eff. July 1, 1995;
Expired Eff. May 1, 2019 pursuant to G.S. 150B-21.3A.

21 NCAC 53 .0208 SUPERVISED PROFESSIONAL PRACTICE

"Supervised professional practice" means counseling experience under the supervision of a qualified clinical supervisor, as defined in Rule .0209 of this Section, and includes a minimum of one hour of individual or two hours of group clinical supervision per 40 hours of supervised professional counseling practice. Individual clinical supervision hours do not count towards the 40 hours of supervised professional practice. At least three-quarters of the hours of clinical supervision shall be individual. Persons who have met all licensure requirements except the supervised professional practice who wish to counsel as supervised counselors in supervised professional settings, as defined in Rule .0207 of the Section, shall apply to become a licensed clinical mental health counselor associate as defined in Rule .0701 of this Chapter. The focus of a supervision session shall be on raw data from clinical work that is made available to the supervisor through such means as live observation, co-therapy, audio and video recordings, and live supervision. Written materials and self-reports by the supervised counselor may supplement the supervision process but shall not be the sole basis of any supervision session.

History Note: Authority 90-334(h),(i); 90-336(c)(2);
Eff. July 1, 1995;
Amended Eff. July 1, 2014; January 1, 2010; July 1, 2006;
Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. April 27, 2019;
Amended Eff. January 1, 2020 (S.L. 2019-240, s. 3.(k)).

21 NCAC 53 .0209 QUALIFIED CLINICAL SUPERVISOR

(a) A "qualified clinical supervisor" is:

- (1) A licensed clinical mental health counselor with the following:
 - (A) a master's degree as defined in G.S. 90-336(b)(1);
 - (B) an independent license that is not under supervision;
 - (C) the equivalent of three semester graduate credits in clinical supervision from a regionally accredited institution of higher education as documented by an official transcript or 45 contact hours of continuing education in clinical supervision as defined by Rule .0603(c) in this Chapter; and
 - (D) a minimum of five years of post-graduate counseling experience with a minimum of two years of post licensure experience; or
- (2) An equivalently and actively licensed mental health professional as defined in Paragraph (c) of this Rule.

(b) As of July 1, 2017, all qualified clinical supervisors shall hold the credential of licensed clinical mental health counselor supervisor or be a licensed clinical mental health counselor or an equivalently and actively licensed mental health professional, as defined in Paragraph (c) of this Rule.

(c) "Equivalently and actively licensed" means that the mental health professional shall have:

- (1) at least a master's degree as defined in G.S. 90-336(b)(1);
- (2) an independent license that is not under supervision and is in good standing with the respective licensing board;
- (3) the equivalent of three semester graduate credits in clinical supervision from a regionally accredited institution of higher education as documented by an official transcript or 45 contact hours of continuing education in clinical supervision, as defined by Rule .0603(c) in this Chapter;
- (4) a minimum of five years of post-graduate counseling experience, with a minimum of two years of post licensure experience; and
- (5) a minimum of 10 contact hours of continuing education in professional knowledge and competency in the field of counseling supervision completed every two years and submitted to the Board.

History Note: Authority G.S. 90-330(a)(4); 90-334(h),(i); 90-336(d);
Eff. July 1, 1995;
Amended Eff. July 1, 2014; January 1, 2010; July 1, 2006;

Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. April 27, 2019;
Amended Eff. January 1, 2020 (S.L. 2019-240, s. 3.(k)).

21 NCAC 53 .0210 INDIVIDUAL CLINICAL SUPERVISION

"Individual clinical supervision" means face-to-face supervision, as defined in Rule .0212 of this Section, of one or two supervisees and a qualified clinical supervisor, as defined in Rule .0209 of this Section, for a period not less than one hour of clinical supervision per session, as defined in Rule .0208 of this Section, per 40 hours of supervised professional practice, as defined in Rule .0205 of this Section. Face-to-face hours with the qualified clinical supervisor do not count toward the 40 hours of supervised professional practice.

History Note: Authority G.S. 90-334(h),(i); 90-336(c)(2);
Eff. July 1, 1995;
Amended Eff. July 1, 2014; January 1, 2010;
Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. April 27, 2019.

21 NCAC 53 .0211 GROUP CLINICAL SUPERVISION

"Group clinical supervision" means face-to-face supervision, as defined in Rule .0212 of this Section between groups of supervisees, not to exceed 12 supervisees per group, and a qualified clinical supervisor, for a period not less than two hours of clinical supervision per session, per 40 hours of supervised professional practice, as defined in Rule .0208 of this Section.

History Note: Authority G.S. 90-334(h),(i); 90-336(c)(2);
Eff. July 1, 1995;
Amended Eff. July 1, 2014; January 1, 2010;
Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. April 27, 2019.

21 NCAC 53 .0212 FACE TO FACE SUPERVISION DEFINED

"Face-to-face" clinical supervision means supervision that is live, interactive, and visual. Video supervision is permitted as long as the session is synchronous and involves verbal and visual interaction during the supervision. All supervision, whether live or audio and video recordings, shall be done in a confidential manner in accordance with the ACA Code of Ethics as set forth in Rule .0102 of this Chapter.

History Note: Authority G.S. 90-334(h);
Eff. July 1, 2006;
Amended Eff. July 1, 2014; January 1, 2010;
Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. April 27, 2019.

21 NCAC 53 .0213 MENTAL HEALTH PROFESSIONAL

A mental health professional includes the following individuals:

- (1) Licensed Clinical Mental Health Counselors (LCMHC);
- (2) Licensed Marriage and Family Therapists (LMFT);
- (3) Licensed Clinical Social Workers (LCSW) with a master's degree in social work from a school of social work accredited by the Council of Social Work Education;
- (4) Licensed Psychologists;
- (5) Licensed Medical Doctors with a Medical Board certification in psychiatry;
- (6) Nurse Practitioners approved to practice in North Carolina and certified by the American Nurses Credentialing Center as an advanced practice nurse practitioner and certified in psychiatric nursing; and
- (7) Clinical Nurse Specialists certified by the American Nurses Credentialing Center or the American Psychiatric Nurse Association as an Advanced Practice Psychiatric Clinical Nurse Specialist (CNS).

History Note: Authority G.S. 90-334(h); 90-334(i);
Eff. January 1, 2010;
Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. April 27, 2019;
Amended Eff. January 1, 2020 (S.L. 2019-240, s. 3.(k)).

SECTION .0300 – HOW TO OBTAIN LICENSURE

21 NCAC 53 .0301 APPLICATIONS

Applications shall be submitted only on forms obtained from the Board's office at the address set forth in Rule .0204 of this Chapter or website, www.ncblcmhc.org. Applications may be submitted electronically or mailed in paper format to the Board's office.

History Note: Authority G.S. 90-334; 90-336(a);
Temporary Rule Eff. February 21, 1984, for a Period of 120 Days to Expire on June 19, 1984;
Eff. July 1, 1984;
Amended Eff. July 1, 2014; January 1, 2010; July 1, 1995; July 1, 1994; April 1, 1989;
Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. April 27, 2019;
Amended Eff. March 1, 2022.

21 NCAC 53 .0302 TRANSCRIPTS

The applicant shall have official transcripts sent either electronically or in paper format, from institutions where graduate credit was earned. If the transcript course titles are ambiguous or do not convey the pertinent content of the courses, the Board shall require additional documentation from the applicant, such as a course description or syllabus from the same time period that the applicant was enrolled.

History Note: Authority G.S. 90-334; 90-336;
Temporary Rule Eff. February 21, 1984, for a Period of 120 Days to Expire on June 19, 1984;
Eff. July 1, 1984;
Amended Eff. July 1, 2014; January 1, 2010;
Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. April 27, 2019.

21 NCAC 53 .0303 WORK EXPERIENCES

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Authority G.S. 90-334; 90-336; 1993 S.L. c. 514, s. 5;
Eff. July 1, 1984;
Amended Eff. April 1, 1989;
Repealed Eff. July 1, 1994.

21 NCAC 53 .0304 APPLICANTS LICENSED IN OTHER STATES

If an applicant is licensed to practice counseling by a Board in another state, the applicant shall apply for licensure with the North Carolina Board and shall meet the following requirements:

- (1) shall have a minimum of five years of full time counseling experience, or eight years of part time counseling experience, or a combination of full time and part time counseling experience equivalent to five years of full time counseling experience, within 10 years directly prior to application;
- (2) shall have a minimum of 2500 hours of direct client contact;
- (3) shall have an active independent license that does not require supervision, and be in good standing as a licensed clinical mental health counselor in another state for a minimum of two years directly prior to application; and
- (4) shall comply with all other applicable rules for licensure as a licensed clinical mental health counselor.

History Note: Authority G.S. 90-334; 90-337; S.L. 1993-514, s.5;
Temporary Rule Eff. February 21, 1984, for a Period of 120 Days to Expire on June 19, 1984;
Eff. July 1, 1984;
Amended Eff. July 1, 2014; July 1, 2006; July 1, 1994;
Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. April 27, 2019;
Amended Eff. January 1, 2020 (S.L. 2019-240, s. 3.(k)).

21 NCAC 53 .0305 EXAMINATION

- (a) One of the following national exams shall be taken to complete the examination requirement for licensure as a licensed clinical mental health counselor associate and licensed clinical mental health counselor:
- (1) the National Counselor Examination (NCE);
 - (2) the National Clinical Mental Health Counselor Examination (NCMHCE); or
 - (3) the Certified Rehabilitation Counselor Examination (CRC)
- (b) The Board shall accept examinations administered by other state counselor licensing boards and licensed clinical mental health counselor credentialing associations if the Board determines that such examinations are equivalent to the NCE, NCMHCE, or CRC relative to content and minimum satisfactory performance levels for counselors.
- (c) The completion of a no fail jurisprudence exam, as selected by the Board, is required for licensure application at each level (licensed clinical mental health counselor associate, license clinical mental health counselor, and licensed clinical mental health counselor supervisor) and for each consecutive renewal period. Applicants and renewing licensees shall submit documentation of completion of the no fail jurisprudence exam, taken within six months prior to application to the Board for licensure or within six months prior to the date of expiration of the license.

History Note: Authority G.S. 90-334(g),(h); 90-336(b)(3); 90-337;
Eff. July 1, 1995;
Amended Eff. July 1, 2014; January 1, 2010; July 1, 2006;
Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. April 27, 2019;
Amended Eff. January 1, 2020 (S.L. 2019-240, s. 3.(k)).

21 NCAC 53 .0306 REPORTING OF SCORES

History Note: Authority G.S. 90-334(g); 90-336(b)(3);
Eff. July 1, 1995;
Repealed Eff. January 1, 2010.

21 NCAC 53 .0307 RETAKING OF EXAMINATION

Applicants who do not pass one of the examinations as set forth in Rule .0305 of this Section may retake it at the next regularly scheduled examination date upon registering with and paying the required examination fee to the National Board of Certified Counselors or to the Commission on Rehabilitation Counselor Certification. Applicants who fail the examination a second time during an application period shall have their application denied. The applicants may reapply for licensure and shall be subject to the requirements at the time of reapplication.

History Note: Authority G.S. 90-334(g),(h),(j);
Eff. July 1, 1995;
Amended Eff. July 1, 2014;
Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. April 27, 2019.

21 NCAC 53 .0308 RECEIPT OF APPLICATION

- (a) All requirements for applications shall be satisfied in accordance with Article 24 of G.S. 90 and the rules of this Chapter within two years from the date of receipt of the application or the application shall be void. Application shall be deemed to be received by the Board when the Board's office sends the confirmation of receipt, and,

processes the application fee. The applicant may reapply for licensure and shall be subject to the requirements at the time of reapplication.

(b) Change of Address. The applicant shall inform the Board of any change in his or her mailing address or email address within 60 days after any change. Updated address information shall be submitted on forms available on the Board's website, www.ncblcmhc.org.

(c) Change of Name. The applicant shall inform the Board of any change in his or her name within 60 days after any change. A name change form shall be submitted on forms available on the Board's website, www.ncblcmhc.org and shall include any valid government issued form of identification, such as a social security card, driver's license, passport, divorce decree, or court order.

History Note: Authority G.S. 90-334(h); 90-336(a);

Eff. July 1, 1995;

Amended Eff. July 1, 2014; January 1, 2010; July 1, 2006;

Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. April 27, 2019;

Amended Eff. July 1, 2022; March 1, 2022.

21 NCAC 53 .0309 AGREEMENT TO ABIDE BY NCBLCMHC ETHICAL STANDARDS

Upon application for any license covered by G.S. 90, Article 24 and upon application for each succeeding renewal of such license, if granted, each applicant shall sign a statement agreeing to abide by the ethical standards adopted by the Board. If an applicant fails to sign the statement, the Board shall notify the applicant in writing of the statutory requirement to abide by the ethical standards adopted by the Board.

History Note: Authority G.S. 90-334(g); 90-336(a);

Eff. July 1, 1995;

Amended Eff. January 1, 2010;

Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. April 27, 2019.

21 NCAC 53 .0310 FOREIGN DEGREE APPLICANTS

(a) Applicants applying for licensure on the basis of a foreign degree shall provide documentation, in addition to all other documents required for licensure, that establishes the following:

- (1) the existence of the degree granting institution;
- (2) the authenticity of the degree, transcripts, and any supporting documents;
- (3) the equivalence of the degree in terms of level of training, content of curriculum, and course credits; and
- (4) the equivalence of any post-graduate supervised experience obtained in the foreign country.

(b) Documentation shall be in the form of a course-by-course evaluation of credentials submitted directly to the Board from an evaluation service that is a member of the National Association of Credential Evaluation Services, Inc. (www.naces.org).

(c) Except as described in Paragraph (b) of this Rule, only official documents shall be submitted in support of the application and shall be received directly from the institution or individual involved.

(d) When an official document is not available directly from the institution or individual involved, an original document possessed by the applicant may be reviewed and copied by a Board member or designee.

(e) Any document that is in a language other than English shall be accompanied by a translation with notarized verification of the translation's accuracy and completeness. This translation shall be completed by an individual, other than the applicant, and demonstrates no conflict of interest. The individual providing the translation may be college or university language faculty, a translation service, or an American consul.

History Note: Authority G.S. 90-334;

Eff. July 1, 2014;

Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. April 27, 2019.

21 NCAC 53 .0311 REQUIREMENTS FOR CANDIDATE FOR LICENSURE PENDING STATUS

- (a) Applicants for licensure may be designated as a "Candidate for Licensure Pending" (CFL-P) if the application is missing one or more of the following requirements:
- (1) official exam score from the examining board;
 - (2) official transcript from a regionally accredited higher education institution; or
 - (3) Professional Disclosure Statement for the level that they are applying.
- (b) For the applicant to be listed as a CFL-P, the applicant shall provide the following documentation:
- (1) a receipt showing the request and payment to the examining board for an official exam score to be sent to the Board; or
 - (2) a receipt showing the request and payment to the educational institution for an official transcript to be sent to the Board.
- (c) The CFL-P designation allows the applicant's file to be reviewed at the next regularly scheduled Board meeting for approval so that a license may be issued upon receipt of the missing documents. The CFL-P designation is effective for a maximum of 60 days from the date of approval by the Board. If the missing documents are not received within the 60 days, the CFL-P designation shall revert to an application in review and shall be presented at the next scheduled Board meeting upon receipt of missing documents subject to the two-year period set forth in Rule .0308 of this Section.

History Note: Authority G.S. 90-334;

Eff. July 1, 2014;

Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. April 27, 2019.

SECTION .0400 - DISCIPLINARY PROCEDURES

21 NCAC 53 .0401 RULE OF PROCEDURE

History Note: Authority G.S. 90-331; 90-334; 90-341;

Temporary Rule Eff. February 21, 1984, for a Period of 120 Days to Expire on June 19, 1984;

Eff. July 1, 1984;

Amended Eff. July 1, 2006; July 1, 1994; April 1, 1989;

Repealed Eff. January 1, 2010.

21 NCAC 53 .0402 GROUNDS FOR DENIAL, SUSPENSION, OR REVOCATION OF LICENSE

History Note: Authority G.S. 90-334;

Eff. July 1, 1994;

Repealed Eff. September 1, 2006.

21 NCAC 53 .0403 ALLEGED VIOLATIONS

All complaints of alleged violations shall be submitted electronically or in paper format on forms available on the Board's website, www.ncbclcmhc.org and shall be signed by the complainant(s), unless submitted anonymously. Complaints of violations of Article 24 of G.S. 90, the American Counseling Association, (ACA) Code of Ethics, or the Center for Credentialing and Education's Approved Clinical Supervisor (ACS) Code of Ethics shall include:

- (1) the complainant's signature, unless submitted anonymously;
- (2) the complainant's address and telephone number, unless submitted anonymously;
- (3) date and location of the alleged violation(s);
- (4) a description of the incident(s); and
- (5) signed releases, unless submitted anonymously.

History Note: Authority G.S. 90-334; 90-340;

Eff. July 1, 1995;

Amended Eff. July 1, 2014; January 1, 2010;

Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. April 27, 2019;

Amended Eff. March 1, 2022.

21 NCAC 53 .0404 FORMAL COMPLAINTS

History Note: Authority G.S. 90-334;
Eff. July 1, 1995;
Repealed Eff. January 1, 2010.

21 NCAC 53 .0405 DISCIPLINARY ACTIONS

History Note: Authority G.S. 90-334;
Eff. July 1, 1995;
Repealed Eff. January 1, 2010.

SECTION .0500 - FEES

21 NCAC 53 .0501 APPLICATION FEE

The initial application fees are as follows:

- (1) licensed clinical mental health counselor associate application two hundred dollars (\$200.00);
- (2) licensed clinical mental health counselor application two hundred dollars (\$200.00); and
- (3) licensed clinical mental health counselor supervisor application two hundred dollars (\$200.00).

History Note: Authority G.S. 90-334;
Temporary Rule Eff. February 21, 1984, for a Period of 120 Days to Expire on June 19, 1984;
Eff. July 1, 1984;
Amended Eff. July 1, 2014; January 1, 2010; July 1, 1994;
Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. April 27, 2019;
Amended Eff. January 1, 2020 (S.L. 2019-240, s. 3.(k)).

21 NCAC 53 .0502 EXAMINATION FEE

History Note: Authority G.S. 90-334;
Temporary Rule Eff. February 21, 1984, for a Period of 120 Days to Expire on June 19, 1984;
Eff. July 1, 1984;
Amended Eff. July 1, 2006; July 1, 1994;
Repealed Eff. January 1, 2010.

21 NCAC 53 .0503 RENEWAL AND OTHER FEES

- (a) The biennial renewal fee of two hundred dollars (\$200.00) is due and payable by June 20 of the renewal year. Checks shall be made payable to the North Carolina Board of Licensed Clinical Mental Health Counselors. Failure to pay the biennial renewal fee within the time stated shall automatically suspend the right of any licensee to practice while suspended. A suspended license may be renewed within one year after non-payment of the renewal fee, plus a late renewal fee of seventy-five dollars (\$75.00).
- (b) The cost of a returned check is actual cost.
- (c) The registration fee for a Certificate of Registration for a professional corporation or limited liability company is fifty dollars (\$50.00);
- (d) The renewal fee for a professional corporation or limited liability company is twenty-five dollars (\$25.00); and
- (e) The late renewal fee for a professional corporation or limited liability company is ten dollars (\$10.00).
- (f) The cost of copies of public records shall be the "actual cost," as defined in G.S. 132-6.2(b) and mailing cost, if applicable. There shall be no charge if the request is for 10 pages or less.

History Note: Authority G.S. 55B-10; 55B-11; 90-334; 90-339; 132-6.2(b);
Temporary Rule Eff. February 21, 1984, for a Period of 120 Days to Expire on June 19, 1984;
Eff. July 1, 1984;
Amended Eff. July 1, 2014; July 1, 2006; July 1, 1994;
Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. April 27, 2019;

Amended Eff. January 1, 2020 (S.L. 2019-240, s. 3.(k)).

21 NCAC 53 .0504 FUND SUSPENSION

In the event the Board's authority to expend funds is suspended pursuant to G.S. 93B-2, the Board shall continue to issue and re-new licenses and all fees tendered shall be placed in an escrow account maintained by the Board for this purpose. Once the Board's authority is restored, the funds shall be moved from the escrow account into the general operating account.

History Note: *Authority G.S. 93B-2(d);
Eff. January 1, 2010;
Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. April 27, 2019.*

SECTION .0600 – RENEWAL OF LICENSE

21 NCAC 53 .0601 RENEWAL PERIOD

Newly issued licenses shall be effective upon the date of issuance by the Board and shall expire on the second June 30 thereafter. At least 45 days prior to expiration of each license, the Board shall mail by regular U.S. mail or email a notice for license renewal to the licensee for the current licensure period. The renewal period for a newly issued license may be less than two years. Following the first renewal of a newly issued license, the renewal period shall be two years and shall run from July 1 in the first year through June 30 in the second year. A licensee whose license has been suspended for failure to renew shall not practice until the license is renewed.

History Note: *Authority G.S. 90-334(h); 90-339;
Eff. July 1, 1995;
Amended Eff. July 1, 2014;
Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. April 27, 2019;
Amended Eff. July 1, 2022.*

21 NCAC 53 .0602 RENEWAL FOR LICENSURE FORM; ADDRESS CHANGE; NAME CHANGE

(a) License renewal information shall be on the Renewal for Licensure forms available on the Board's website www.ncblcmhc.org and submitted either electronically or mailed in paper format to the Board's office as set forth in Rule .0204 of this Chapter. The licensee shall provide general contact information, including the licensee's email address, including all professional licenses, certificates and credentials, and all continuing counselor education information for the past two years. All requested information shall be provided and the forms shall be signed and dated. Documents that shall be included with the renewal form are the following:

- (1) certificate of completion of the jurisprudence examination for the level of license that is being renewed;
- (2) the ethics attestation statement;
- (3) an updated Professional Disclosure Statement; and
- (4) payment of renewal fee.

(b) Change of Address. The licensee shall inform the Board of any change in his or her mailing address or email address within 60 days after any change. Updated address information shall be submitted on forms available on the Board's website, www.ncblcmhc.org.

(c) Change of Name. The licensee shall inform the Board of any change in his or her name within 60 days after any change. A name change form shall be submitted on forms available on the Board's website, www.ncblcmhc.org and shall include any required legal documentation, as a marriage certificate, divorce decree, or court order.

History Note: *Authority G.S. 90-334(g); 90-336(a); 90-339(b);
Eff. July 1, 1995;
Amended Eff. July 1, 2014;
Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. April 27, 2019;
Amended Eff. July 1, 2022; March 1, 2022.*

21 NCAC 53 .0603 CONTINUING EDUCATION

(a) Continuing education is required for the renewal of licenses to ensure that licensed clinical mental health counselor associates, licensed clinical mental health counselors, and licensed clinical mental health counselor supervisors maintain their professional knowledge and competency in the field of counseling. Continuing education activities appropriate for the purpose of license renewal are those that are directed toward professionals in the mental health field and that focus on increasing knowledge and skills in the practice of counseling in one or more of the following content areas:

- (1) counseling theory;
- (2) human growth and development;
- (3) social and cultural foundations;
- (4) the helping relationship;
- (5) group dynamics;
- (6) lifestyle and career development;
- (7) appraisal of individuals;
- (8) diagnosis and treatment planning;
- (9) research and evaluation;
- (10) professional counseling orientation; and
- (11) ethics.

(b) Forty contact hours of continuing counselor education, including a minimum of three contact hours of ethics, shall be completed within the two-year license renewal period. However, in the cases of newly issued licenses in which the initial renewal period is less than two full years, 30 contact hours, including a minimum of three contact hours of ethics, shall be completed. Contact hours are defined as the number of actual clock hours spent in direct participation in a structured education format as a learner. Typically, one Continuing Education Unit (CEU) is equivalent to 10 contact hours. In a college or university graduate course, one semester hour of credit is equivalent to 15 contact hours and one quarter hour of credit is equivalent to 10 contact hours.

(c) Continuing counselor education provided by one of the following national organizations, their affiliates, or by a vendor approved by one of the following organizations shall be accepted by the Board for renewal purposes:

- (1) American Association of State Counseling Boards (aascb.org)
- (2) American Counseling Association (counseling.org);
- (3) Commission on Rehabilitation Counselor Certification (crccertification.com); and
- (4) National Board for Certified Counselors (nbcc.org).

(d) Continuing counselor education provided by one of the following national organizations, their affiliates or by a vendor approved by one of the following organizations shall be approved for no more than 15 contact hours for any given renewal period as defined in Rule .0601 of this Chapter:

- (1) American Association of Christian Counselors (www.aacc.net);
- (2) American Association of Marriage and Family Therapy (www.aamft.org);
- (3) American Psychological Association (www.apa.org);
- (4) Employee Assistance Certification Commission (www.eapassn.org);
- (5) International Association of Employee Assistance Professionals in Education (www.iaeape.org);
- (6) National Area Health Education Center Organization (www.nationalahec.org);
- (7) National Association for Pastoral Counseling and Psychotherapy (www.napcp.ie);
- (8) National Association of Social Workers (www.socialworkers.org);
- (9) National Rehabilitation Association (www.nationalrehab.org); and
- (10) The Association for Addiction Professionals (www.naadac.org).

(e) Evidence of completion of continuing counselor education shall consist of a certificate of attendance signed by the responsible officer of a continuing counselor education provider, and shall include date(s) of attendance, number of contact hours, name of attendee, name of course, and approved provider name or number. Licensees shall maintain such information for seven years following course completion; however, a licensee is only required to submit such information if audited by the Board. On the Renewal for Licensure Form, a licensee shall attest to having completed the required continuing counselor education within the current renewal cycle.

(f) The Board may conduct a random audit of a percentage of its licensees' continuing counselor education documentation for each renewal cycle, and licensees shall submit the requested information upon request of the Board. Failure to submit the required documentation shall result in disciplinary action by the Board.

(g) Continuing counselor education activities also acceptable for renewal of licensure are as follows:

- (1) Contact hours shall be awarded for academic credit gained during a renewal period from a regionally accredited institution of higher education for work done in a counseling or counseling-

related subject. A copy of a transcript or grade report is the required documentation. Documentation must contain the following information:

- (A) date(s) of attendance;
- (B) number of semester or quarter hours earned;
- (C) name of attendee; and
- (D) name or number of course.

Contact hours are as defined in Paragraph (b) of this Rule. Completion dates must fall within the renewal period.

- (2) Contact hours shall be awarded for publication activities limited to articles written by the licensee and published in peer reviewed journals, editing of a chapter in a book based on counseling or counseling related material, or authoring or co-authoring a published book on counseling or counseling-related material. Publication dates must fall within the renewal period. Required documentation is a copy of the cover page of the article(s) or book; copy of the copyright page denoting date of publication; or for a chapter in an edited book, a copy of the table of contents listing the chapter is also required. Ten contact hours shall be approved for each publication activity, and only 10. The maximum contact hours allowed during a renewal period is 10. Contact hours awarded for publication activities shall not be applied to the three contact hour requirement for ethics.
- (3) Contact hours shall be awarded for academic credit granted during a renewal period from a regionally accredited institution of higher education for work done toward the completion of a dissertation. "Required documentation" means a copy of a transcript or grade report showing credit earned during the renewal period. The maximum contact hours allowed during a renewal period is 10. Contact hours are as defined in Paragraph (b) of this Rule. Completion dates must fall within the renewal period. Contact hours awarded for dissertation shall not be applied to the three contact hour requirement for ethics.
- (4) Contact hours shall be awarded for supervised professional practice, as defined by Rule .0208 of this Chapter, that was received by the licensee during the renewal period. Contact hours shall not be granted for clinical supervision provided by the licensee to others. The maximum contact hours allowed during a renewal period for supervised professional practice is 10. "Contact hours" means the number of actual clock hours spent in direct, supervised professional practice. Required documentation is a letter from the qualified clinical supervisor, as defined by Rule .0209 of this Chapter, who provided the supervised professional practice verifying a licensee's participation in the activity. The letter shall confirm the dates of the activity, the number of participation hours, and the position or title and credential of the provider. Dates of activity must fall within the renewal period. Contact hours awarded for clinical supervision shall not be applied to the three contact hour requirement for ethics. Supervision quarterly reports as set forth in Rule .0702 of this Chapter may be submitted as supporting documentation.
- (5) Contact hours shall be awarded for the following leadership positions:
 - (A) officer of state, regional, or national counseling organization;
 - (B) editor or editorial board member of a professional counseling journal;
 - (C) member of a state, regional, or national counseling committee producing a written product; or
 - (D) chair of a major state, regional, or national counseling conference or convention.The leadership position must be occupied for a minimum of six months, and dates must fall within the renewal period. The required documentation is a letter of confirmation of the leadership position, the nature of the position or service rendered, and the signature of an officer of the organization. Ten contact hours shall be approved for each leadership position held, and only 10 contact hours are allowed during a renewal period. Contact hours awarded for leadership shall not be applied to the three contact hour requirement for ethics.
- (6) Contact hours shall be awarded for hours obtained in activities or workshops for which the licensee was a presenter. The dates of activities presented must fall within renewal period and focus on one or more of the approved content areas as set forth in Paragraph (a) of this Rule. The maximum contact hours awarded for presenting professional activities or workshops is five. Required documentation means an official letter of confirmation from the organization for which the licensee presented and shall contain the following information:
 - (A) date(s) of presentation;

- (B) name of presentation; and
- (C) length of presentation.

"Contact hours" means the number of actual clock hours spent presenting. Contact hours awarded for presenting shall not be applied to the three contact hour requirement for ethics.

(h) If documentation for continuing counselor education is not identifiable as dealing with counseling, the Board shall request a written description of the continuing counselor education and how it applies to the professional practice of counseling. If the Board determines that the education is not appropriate, the licensee shall be given 45 days from the date of notification to replace the hours not approved. Those hours shall be considered replacement hours and shall not be applied to the next renewal period.

(i) Licensed clinical mental health counselor supervisors shall meet all of the continuing counselor education requirements outlined in Paragraphs (a) through (h) of this Rule and in addition as part of those requirements, shall provide documentation of a minimum of 10 contact hours of continuing counselor education related to professional knowledge and competency in the field of counseling supervision. Continuing counselor education appropriate for the purpose of licensed clinical mental health counselor supervisor renewal is education directed toward professionals in the mental health field that focus on increasing knowledge and skills in the practice of counseling supervision, and that is completed during the renewal period.

History Note: Authority 90-334(g),(h); 90-339(b);

Eff. July 1, 1995;

Amended Eff. July 1, 2014; February 1, 2010;

Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. April 27, 2019;

Amended Eff. January 1, 2020 (S.L. 2019-240, s. 3.(k)).

21 NCAC 53 .0604 FAILURE TO SECURE SUFFICIENT CONTINUING EDUCATION/RENEWAL OF LICENSE

Licensed clinical mental health counselor associates, licensed clinical mental health counselors, and licensed clinical mental health counselor supervisors who fail to document sufficient continuing counselor education to renew their licenses by the expiration date of June 30 shall be notified in writing by the Board of the deficiencies, that their licenses have expired, and that the licensee shall not practice until it is renewed. Licensed clinical mental health counselor associates, licensed clinical mental health counselors, and licensed clinical mental health counselor supervisors who are unable to provide documentation of sufficient continuing counselor education to renew their licenses have the following options:

- (1) Within one year of expiration, licensed clinical mental health counselor associates, licensed clinical mental health counselors, and licensed clinical mental health counselor supervisors shall complete the required hours of continuing counselor education and an additional 20 hours of continuing counselor education for the purpose of renewal of the expired license. Continuing counselor education acquired during this additional time period for the purpose of renewal of an expired license shall not apply to the next renewal period. Once these requirements have been met, the license shall be renewed.
- (2) Request an extension in writing from the Board. Requests shall be received by the Board no later than May 1st of the year of expiration. An extension shall be granted for:
 - (a) military deployment;
 - (b) major illness documented by a licensed healthcare provider, of self or a member of an immediate family, such as a partner, child, parent, sibling, or dependent; or
 - (c) death of a member of an immediate family, such as partner, child, parent, sibling, or dependent.

Extensions shall be granted for a period of up to one year. If the extension is approved, any continuing counselor education acquired during the extension shall not be applied to the next renewal period. Once these requirements have been met, the license shall be renewed and the licensee may resume practice.

Failure to complete one of the above listed options shall mean that a license shall be reissued only upon a new application for a license, and all current licensure requirements shall apply to the new application.

History Note: Authority G.S. 90-334(g),(h); 90-339;

Eff. July 1, 1995;

Amended Eff. July 1, 2014; January 1, 2010;

Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. April 27, 2019;

Amended Eff. July 1, 2022; January 1, 2020 (S.L. 2019-240, s. 3.(k)).

SECTION .0700 – LICENSED CLINICAL MENTAL HEALTH COUNSELOR ASSOCIATE

21 NCAC 53 .0701 LICENSED CLINICAL MENTAL HEALTH COUNSELOR ASSOCIATE

A license as a licensed clinical mental health counselor associate shall be granted by the Board to persons preparing for the practice of counseling who have:

- (1) completed graduate training as defined in G.S. 90-336(b)(1);
- (2) completed a minimum of three semester hours or five quarter hours in each of the required coursework areas of study as follows:
 - (a) Coursework in Helping Relationships in Counseling. Studies in this area provide an understanding of counseling and consultation processes, including the following:
 - (i) counseling and consultation theories, including both individual and systems perspectives, as well as coverage of relevant research and factors considered in applications;
 - (ii) basic interviewing, assessment, and counseling skills;
 - (iii) counselor or consultant characteristics and behaviors that influence mental health counseling relationships, including age, gender, and ethnic differences; verbal and nonverbal behaviors; personal behaviors; and personal characteristics, orientations, and skills;
 - (iv) client or consultee characteristics and behaviors that influence mental health counseling relationships, including age, gender, and ethnic differences; verbal and nonverbal behaviors; and personal behaviors; personal characteristics, orientations and skills; and
 - (v) ethical considerations.
 - (b) Coursework in Practicum and Internship. Practicum and internship experience should be provided in a supervised graduate counseling experience in a regionally accredited program of study. This graduate counseling experience shall be completed as defined in Rule .0206 of this Chapter.
 - (c) Coursework in Professional Orientation to Counseling. Studies in this area provide an understanding of all aspects of professional functioning, including history, roles, organizational structures, ethics, standards, and credentialing, including the following:
 - (i) history of the counseling profession, including significant factors and events;
 - (ii) professional roles and functions of counselors, including similarities and differences with other types of professionals;
 - (iii) professional organizations (primarily the ACA, its divisions, branches and affiliates), including membership benefits, activities, services to members, and current emphases;
 - (iv) ethical standards of the National Board for Certified Counselors (NBCC) or ACA and related ethical and legal issues, and their applications to various professional activities (e.g., appraisal, group work);
 - (v) clinical mental health counselor preparation standards, their evolution, and current applications;
 - (vi) clinical mental health counselor credentialing, including counselor certification, licensure and accreditation practices and standards, and the effects of public policy on these issues;
 - (vii) public policy processes, including the role of the clinical mental health counselor advocating on behalf of the profession and its clientele; and
 - (viii) ethical considerations.
 - (d) Coursework in Human Growth and Development Theories in Counseling. Studies in this area provide an understanding of the nature and needs of individuals at all developmental levels, relevant to counseling practice, including the following:

- (i) theories of individual and family development, and transitions across the life span;
 - (ii) theories of learning and personality development;
 - (iii) human behavior, including an understanding of developmental crises, disability, addictive behavior, psychopathology, and environmental factors as they affect both normal and abnormal behavior;
 - (iv) counseling strategies for facilitating development over the life span; and
 - (v) ethical considerations.
- (e) Coursework in Social and Cultural Foundations in Counseling. Studies in this area provide an understanding of issues and trends in a multicultural and diverse society that impact clinical mental health counselors and the counseling profession, including, the following:
- (i) multicultural and pluralistic trends, including characteristics and concerns of counseling individuals from diverse groups;
 - (ii) attitudes and behavior based on factors such as age, race, religious preferences, physical disability, sexual orientation, ethnicity and culture, family patterns, gender, socioeconomic status, and intellectual ability;
 - (iii) individual, family, and group counseling strategies with diverse populations; and
 - (iv) ethical considerations.
- (f) Coursework in Group Counseling Theories and Processes. Studies in this area provide an understanding of group development, dynamics, and counseling theories; group counseling methods and skills; and other group work approaches, including the following:
- (i) principals of group dynamics, including group counseling components, developmental stage theories, and group members' roles and behaviors;
 - (ii) group leadership styles and approaches, including characteristics of various types of group leaders and leadership styles;
 - (iii) theories of group counseling, including commonalities, distinguishing characteristics, and pertinent research and literature;
 - (iv) group counseling methods, including group counselor orientations and behaviors, ethical standards, appropriate selection criteria, and methods of evaluation of effectiveness;
 - (v) approaches used for other types of group work in counseling, including task groups, support groups, and therapy groups; and
 - (vi) ethical considerations.
- (g) Coursework in Career Counseling and Lifestyle Development. Studies in this area provide an understanding of career counseling, development, and related life factors, including the following:
- (i) career-counseling theories and decision-making process;
 - (ii) career, avocational, educational, and labor market information resources; visual and print media; and computer-based career information systems;
 - (iii) career-counseling program planning, organization, implementation, administration, and evaluation;
 - (iv) interrelationships among work, family, and other life roles and factors, including multicultural and gender issues as related to career counseling;
 - (v) career and educational placement counseling, follow-up, and evaluation;
 - (vi) assessment instruments and techniques relevant to career counseling;
 - (vii) computer-based career-development applications and strategies, including computer-assisted career-counseling systems;
 - (viii) career-counseling processes, techniques and resources, including those applicable to specific populations; and
 - (ix) ethical considerations.
- (h) Coursework in Assessment in Counseling. Studies in this area provide an understanding of individual and group approaches to assessment and evaluation in counseling practice, including the following:
- (i) theoretical and historical bases for assessment techniques in counseling;

- (ii) validity, including evidence for establishing content, construct, and empirical validity;
 - (iii) reliability, including methods of establishing stability, internal, and equivalence reliability;
 - (iv) appraisal methods, including environmental assessment, performance assessment, individual and group test and inventory methods, behavioral observations, and computer-managed and computer-assisted methods;
 - (v) psychometric statistics, including types of assessment scores, measures of central tendency, indices of variability, standard errors, and correlations;
 - (vi) age, gender, ethnicity, language, disability, and cultural factors related to the use of assessment and evaluation in counseling services;
 - (vii) strategies for selecting, administering, interpreting and using assessment and evaluation instruments, and techniques in counseling; and
 - (viii) ethical considerations.
- (i) Coursework in Research and Program Evaluation. Studies in this area provide an understanding of types of research methods, basic statistics, and ethical and legal consideration in research, including the following:
- (i) basic types of research methods to include qualitative and quantitative research designs;
 - (ii) basic parametric and nonparametric statistics;
 - (iii) principles, practices, and applications of needs assessment and program evaluation;
 - (iv) uses of computers for data management and analysis; and
 - (v) ethical and legal considerations.
- (3) passed an examination as defined in Rule .0305 of this Chapter; and
- (4) submitted a complete application for licensed clinical mental health counselor associate.

To prevent a lapse in licensure, licensed clinical mental health counselor associates who desire to become licensed clinical mental health counselors shall complete the application process for the licensed clinical mental health counselor licensure no earlier than 60 days prior to expiration of their licensed clinical mental health counselor associate license or upon completion of the supervised professional practice hours as set forth in Rule .0208 of this Chapter to allow for administrative processing and Board action.

History Note: Authority G.S. 90-334(h); 90-336(a); 90-336(b);

Eff. January 1, 2010;

Amended Eff. July 1, 2014; January 1, 2010;

Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. April 27, 2019;

Amended Eff. January 1, 2020 (S.L. 2019-240, s. 3.(k)).

21 NCAC 53 .0702 SUPERVISED PRACTICE FOR LICENSED CLINICAL MENTAL HEALTH COUNSELOR ASSOCIATE

A licensed clinical mental health counselor associate shall not practice unless the following requirements have been met:

- (1) The licensed clinical mental health counselor associate shall submit a completed supervision contract, on forms available on the Board's website, www.ncblcmhc.org. A supervision contract form shall document the following:
 - (a) the name of the qualified clinical supervisor;
 - (b) contact information for the qualified clinical supervisor;
 - (c) the modality of supervision to be provided, such as live observation, co-therapy, audio and video recordings, and live supervision, as defined by Rule .0208 of this Chapter;
 - (d) the frequency of supervision; and
 - (e) the name and physical location of the site where the proposed supervision will take place.

A separate supervision contract form shall be filed for each separate work setting.
- (2) If receiving supervision from more than one supervisor, a separate supervision contract form shall be filed for each individual qualified clinical supervisor.

- (3) A supervisor shall document, on forms available on the Board's website, www.ncblcmhc.org each quarter that supervision has occurred and shall file a final report upon termination or completion of supervision.
- (4) If not receiving supervision, the licensed clinical mental health counselor associate shall report such to the Board. A report shall be submitted to the Board within two weeks of termination of supervision and within two weeks of a change in the conditions specified in the supervision contract form on file with the Board.
- (5) A licensed clinical mental health counselor associate shall only provide counseling while under the supervision of a qualified clinical supervisor.
- (6) A licensed clinical mental health counselor associate shall renew his or her license as a licensed clinical mental health counselor associate if the supervision requirements to become a licensed clinical mental health counselor have not been completed prior to the expiration of the license.

History Note: Authority G.S. 90-334(h); 90-336(c);
Eff. January 1, 2010;
Amended Eff. July 1, 2014;
Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. April 27, 2019;
Amended Eff. March 1, 2022; January 1, 2020 (S.L. 2019-240, s. 3.(k)).

SECTION .0800 – LICENSED CLINICAL MENTAL HEALTH COUNSELOR SUPERVISOR

21 NCAC 53 .0801 LICENSED CLINICAL MENTAL HEALTH COUNSELOR SUPERVISOR

(a) The credential of licensed clinical mental health counselor supervisor shall be granted by the Board to a licensed clinical mental health counselor who has satisfied the following requirements:

- (1) obtained an independent license that is not under supervision as defined in G.S. 90-336(d)(4);
- (2) earned the equivalent of three semester graduate credits in clinical supervision training from a regionally accredited institution of higher education as documented by an official transcript, or 45 contact hours of continuing education in clinical supervision;
- (3) documented licensed professional counseling experience as defined in G.S. 90-336(d)(2); and
- (4) submitted a complete application for licensed clinical mental health counselor supervisor.

(b) The licensed clinical mental health counselor supervisor shall provide supervisees with a copy of a Professional Disclosure Statement specific to supervision that includes the following:

- (1) business address and telephone number of the licensed clinical mental health counselor supervisor;
- (2) the listing of degrees, credentials, and licenses held by the licensed clinical mental health counselor supervisor;
- (3) general areas of competence in mental health practice for which the licensed clinical mental health counselor supervisor may provide supervision (e.g., addictions counseling, school counseling, career counseling);
- (4) a statement documenting training in supervision and experience in providing supervision;
- (5) a general statement addressing the model of or approach to supervision, including role of the supervisor, objectives and goals of supervision, and modalities (e.g., tape review, live observation);
- (6) a description of the evaluation procedures used in the supervisory relationship;
- (7) a statement defining the limits and scope of confidentiality and privileged communication within the supervisory relationship;
- (8) a fee schedule, if applicable;
- (9) the emergency contact information for the licensed clinical mental health counselor supervisor; and
- (10) a statement indicating that the licensed clinical mental health counselor supervisor follows the American Counseling Association's Code of Ethics and the Center for Credentialing and Education's Approved Clinical Supervisor Code of Ethics as set forth in Rule .0102 of this Chapter.

(c) The supervisor shall provide written or electronically submitted reports, on forms provided by the Board on the website www.ncblcmhc.org each quarter that supervision has occurred and shall file a final report upon termination

or completion of supervision. The supervisor shall be available for consultation with the Board or its committees regarding the supervisee's competence for licensure.

(d) A supervision contract form, as provided by the Board on the website www.ncblcmhc.org shall document the following:

- (1) the name of the qualified clinical supervisor;
- (2) contact information for the qualified clinical supervisor;
- (3) the modality of supervision to be provided, such as live observation, co-therapy, audio and video recordings, and live supervision, as defined by Rule .0208 of this Chapter;
- (4) the frequency of supervision; and
- (5) the name and physical location of the site where the proposed supervision will take place.

A separate supervision contract form shall be filed for each supervisee.

(e) The licensed clinical mental health counselor supervisor, in collaboration with the supervisee, shall maintain a log of clinical supervision hours that includes the following:

- (1) the date;
- (2) supervision start and stop times;
- (3) the modality of supervision to be provided, such as live observation, co-therapy, audio and video recordings, and live supervision, as defined by Rule .0208 of this Chapter; and
- (4) notes on recommendations or interventions used during the supervision.

The licensed clinical mental health counselor supervisor shall maintain copies of these logs for a minimum of seven years beyond termination or completion of supervision and shall provide copies to the Board for inspection upon request.

History Note: Authority G.S. 90-334(h); 90-336(a); 90-336(d);

Eff. January 1, 2010;

Amended Eff. July 1, 2014;

Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. April 27, 2019;

Amended Eff. March 1, 2022; January 1, 2020 (S.L. 2019-240, s. 3.(k)).

SECTION .0900 – REGISTRATION FOR A PROFESSIONAL ENTITY

21 NCAC 53 .0901 CERTIFICATE OF REGISTRATION FOR A PROFESSIONAL ENTITY

(a) The information required for an applicant to obtain a Certificate of Registration for a professional corporation or professional limited liability company organized to render professional counseling services shall include the following:

- (1) typed, or legibly printed, notarized application form;
- (2) proof of licensure as a licensed clinical mental health counselor or licensed clinical mental health counselor supervisor;
- (3) registration fee; and
- (4) a copy of the Articles of Incorporation or Articles of Organization.

(b) This Certificate of Registration shall remain effective until December 31 following the date of such registration.

History Note: Authority G.S. 55B-10; 57D-2-01(c); 90-334(h);

Eff. July 1, 2014;

Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. April 27, 2019;

Amended Eff. January 1, 2020 (S.L. 2019-240, s. 3.(k)).

21 NCAC 53 .0902 RENEWAL OF CERTIFICATE OF REGISTRATION FOR A PROFESSIONAL ENTITY

A notification for renewal of professional corporation or professional limited liability company shall be sent by either U.S. mail or email to each registered entity a minimum of 60 days prior to the December 31 expiration date. The Board shall renew the certificate of registration upon receipt of the completed written renewal application of the holder and the renewal fee. Failure to renew by the due date shall result in notification to the Secretary of State's Office to suspend the Articles of Incorporation or Articles of Organization.

History Note: Authority G.S. 55B-11; 57D-2-01(c); 90-334(h);
Eff. July 1, 2014;
Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest *Eff.* April 27, 2019;
Amended Eff. July 1, 2022.