

§ 140-50.3-004600 Part 4600. Licensed Professional Counselor, Licensed Mental Health Counselor, and Licensed Mental Health Counselor Associates.

§ 140-50.3-004601 Definitions.

- (a) "AMHCA" is the American Mental Health Counselors Association.
- (b) "AASCB" is the American Association of State Counseling Boards, the organization of state boards that regulate the practice of counseling. Founded in 1985, AASCB is an association of bodies which are legally responsible for the registration, certification, or licensing of counselors within their jurisdictions in the United States of America.
- (c) "CACREP" is the Council for Accreditation of Counseling and Related Educational Programs. CACREP is an independent agency recognized by the Council for Higher Education Accreditation to accredit master's degree programs in: addiction counseling, career counseling, clinical mental health counseling, marriage, couple and family counseling, school counseling and student affairs and college counseling, school counseling and student affairs and college counseling. CACREP also accredits doctoral programs in Counselor Education and Supervision.
- (d) "CCPA" is the Canadian Counseling and Psychotherapy Association, a national bilingual association providing professional counselors and psychotherapists with access to exclusive educational programs, certification, professional development and direct contact with professional peers and specialty groups.
- (e) "CEU" is the continuing education unit. CE and CEU is not the same. One hour of credit will be allowed for each clock or contact hour of CE participation. One CEU equals to 10 clock, credit or contact CE hours.
- (f) "CECE" is the Certified Rehabilitation Counselor Exam developed and offered by CRCC.
- (g) "CRCC" is the Commission on Rehabilitation Counselor Certification which is an independent, not-for-profit organization that sets the standard for quality rehabilitation counseling services through its internationally recognized certification program. Individuals passing the voluntary certification examination become qualified as Certified Rehabilitation Counselor, or CRCs. The CEC Certification program is accredited by the National Commission for Certifying Agencies (NCCA).
- (h) "Licensed Mental Health Counselor (LMHC)" means a person who is licensed to practice as a mental health counselor as defined in these regulations and whose license is in good standing.
- (i) "Licensed Mental Health Counselor Associates" means a person who is licensed to practice mental health counseling as an associate, as defined in these regulations, and is gaining the supervised experience necessary to become a licensed mental health counselor. A licensed associate counselor of mental health may not provide independent mental

health counseling for a fee, monetary or other wise and must work under the supervision of a licensed mental health counselor.

- (j) "Licensed Professional Counselor (LPC)" means a person who is licensed to practice as a professional counselor as defined in these regulations and whose license is in good standing.
- (k) "Mental health counseling" means the rendering of professional services to individuals, families or groups for compensation, monetary or otherwise. These professional services include: applying the principles, methods, and theories of counseling, human development, learning theory, group and family dynamics, the etiology of mental illness and dysfunctional behavior and psychotherapeutic techniques to define goals and develop a treatment plan of action aimed toward the prevention, treatment and resolution of mental and emotional dysfunction and intra or interpersonal disorders to all persons irrespective of diagnosis. The practice of mental health counseling includes, but is not limited to, assessment, diagnosis and treatment, counseling and psychotherapy, of a nonmedical nature of mental and emotional disorders, psycho-educational techniques aimed at prevention of such disorders, and consultation to individuals, couples, families, groups, organizations and communities.
- (l) "NBCC" is the National Board for Certified Counselors, and Affiliates, an independent not-for-profit credentialing body for counselor, was incorporated in 1982 to establish and monitor a national certification system, to identify those counselors who have voluntarily sought and obtained certification, and to maintain a register of those counselors.
- (m) "NCC" is the National Certified Counselor with NBCC. The NCC is one of two NBCC certifications that are accredited by the National Commission for Certifying Agencies (NCCA). The NCC is the prerequisite for all specialty certifications with NBCC.
- (n) "NCE" is the National Counselor Examination for licensure and certification with NBCC. NBCC's certification program recognized counselors who have met predetermined standards in their training, experience and performance on the National Counselor Examination for Licensure and Certification, the most portable credentialing examination in counseling. The NCE is used for two purposes: national counselor certification and state counselor licensure.
- (o) "NCMHCE" is the National Clinical Mental Health Counseling Examination administered by NBCC.

§ 140-50.3-004602 Exemptions from Licensure Requirements.

These regulations shall apply to all licensed mental health and professional counselor or associates in the CNMI except:

- a) Students whose activities are conducted within a course of professional education in professional or mental health counseling;

- b) Any person who is a duly recognized member of the clergy; provided that the person functions only within the person's capacity as a member of the clergy; and provided further that the person does not represent himself/herself to be a licensed mental health or professional counselor or mental health counselor associate;
- c) Any person who is obtaining supervised clinical experience for licensure as a mental health or professional counselor or associate, psychologist or social worker; provided that the person does not represent himself/herself to be a licensed mental health or professional counselor or associate;
- d) Any qualified members of other professions, including but not limited to nurses, psychologist, social workers, physicians, physician assistants or attorneys at law, from providing the services of mental health or professional counseling nature consistent with the accepted standards of their respective professions; and provided further that the person does not represent himself/herself to be a licensed mental health or professional counselor or associate; and
- e) The provision of mental health services through the department of human services or juvenile court; provided that the person does not represent him/herself to be a licensed mental health or professional counselor or associate.

§ 140-50.3-004603 Reserved.

§ 140-50.3-004604 Requirements for Licensure.

An applicant to practice as a professional or mental health counselor or associate must be at least twenty-one (21) years of age is a U.S. citizen or a foreign national lawfully entitled to remain and work in the Commonwealth, and meets the following requirements:

(a) Licensed Professional Counselor (LPC):

- (1) An applicant who holds a current, unencumbered certification from NBCC as a national certified counselor, a national clinical mental health counselor, or a national certified rehabilitation counselor who has taken and passed the National Counseling Examination, the National Clinical Mental Health Counselor Examination, or the Rehabilitation Certification Examination; or
- (2) Applicant has a master's or doctoral degree in counseling from a counseling program accredited by the CACREP or from a college or university accredited by an agency recognized by the U.S. Department of Education in counseling, that includes or is supplemented by 48 semester hours of graduate-level credit with 2 semester hours or greater in 8 content areas listed below and at least 6 semester hour of field experience:
 - Human Growth and Development Theories in Counseling
 - Social and Cultural Foundations in Counseling
 - Helping Relationships in Counseling
 - Group Counseling Theories and Processes
 - Career Counseling and Lifestyle Development

- Assessment in Counseling
- Research and Program Evaluation
- Professional Orientation to Counseling
- Counseling Field Experience

- (3) Applicant must complete the supervised counseling work experience required under (f) of this section;
- (4) Applicant who has completed the CACREP accredited tracks is considered to have met the supervised, professional work experience required under (f) of this section; and
- (5) Applicant successfully passed the NBCC's National Counselor Examination (NCE), the National Clinical Mental Health Counselor Examination (NCMHCE), or the Counselor Rehabilitation Certification Examination (CRC). The Board shall accept examinations administered by other state counselor licensing boards and professional 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.

(b) Licensed Mental Health Counselor (LMHC):

- (1) An applicant who holds a current, unencumbered certification from NBCC as a national certified counselor, a national clinical mental health counselor, or a national certified rehabilitation counselor who has taken and passed the National Counseling Examination, or the Rehabilitation Certification Examination; or
- (2) Applicant has a master's or doctoral degree in counseling with emphasis in mental health counseling from a mental health counseling program accredited by the CACREP or from a college or university accredited by an agency recognized by the U.S. Department of Education in counseling with emphasis in mental health counseling;
- (3) Applicant completed at least two academic terms of supervised mental health practicum intern experience for graduate credit of at least three semester hours or five quarter hours per academic term in a mental health counseling setting with 300 hours of supervised client contact; the practicum experience shall be completed under the clinical supervision of a person who is a licensed mental health counselor, psychologist, clinical social worker, marriage and family therapist, or physician with a specialty in psychiatry;
- (4) Applicant must complete the supervised clinical and counseling work experience required under (f) of this section;
- (5) An applicant who has obtained Certified Clinical Mental Health Counselor status with the NBCC is considered to have met the

clinical and counseling work experience required under (f) of this section; and

(6) Applicant successfully passes the NBCC's National Counselor Examination or the National Clinical Mental Health Counselor Examination, or the CRCC's Certified Rehabilitation Counselor Examination.

(c) Licensed Mental Health Counselor Associate (LMHCA).

(1) An applicant who holds a current, unencumbered certification from NBCC as a national certified counselor, a national clinical mental health counselor, or a national certified rehabilitation counselor who has taken and passed the National Counseling Examination, the National Clinical Mental Health Counselor Examination, or the Rehabilitation Certification Examination; or

(2) Applicant completed sixty (60) semester hours of graduate course work in counseling that must include either a master's degree that required not less than forty-eight (48) semester hours or a doctor's degree in counseling. The graduate course work must include the following content areas:

- Human growth and development
- Social and cultural foundations of counseling
- Helping relationship, including counseling theory and practice
- Group dynamics, processes, counseling and consultation
- Lifestyle and career development
- Assessment and appraisal of individuals
- Research and program evaluation
- Professional orientation and ethics
- Foundations of mental health counseling
- Contextual dimensions of mental health counseling
- Knowledge and skills for the practice of mental health counseling and psychotherapy

(3) Applicant must complete not less than one (1) supervised clinical practicum, internship, or field experience in a counseling setting, which must include a minimum of one thousand (1,000) clock hours, one (1) internship of six hundred (600) hours, and one (1) advanced internship of three hundred (300) hours with at least one hundred (100) hours of face to face supervision; and

(4) Applicant successfully passes the NBCC's National Counselor Examination or the National Clinical Mental Health Counselor Examination, or the CRCC's Certified Rehabilitation Counselor Examination.

(5) Associates may not provide independent mental health counseling, for a fee, monetary or otherwise. Associates must work under the supervision of an approved supervisor.

- (d) Applicants for professional counselor or mental health counselor must complete the following supervised, clinical or counseling work experience which shall:
- (1) Be a minimum of 2 years or the equivalent of full-time, postgraduate supervised clinical or counseling work experience in professional/mental health counseling;
 - (2) Be completed following the practicum, internship, and all graduate coursework, with the exception of the thesis;
 - (3) For professional or mental health counselor, shall complete not less than 3,000 hours of postgraduate experience in the practice of professional or mental health counseling with 100 hours of face-to-face clinical supervision that shall be completed in no less than 2 years and in no more than 4 years, under the clinical supervision of a person who is a licensed professional or mental health counselor, psychologist, clinical social worker, marriage and family therapist, or physician with a specialty in psychiatry;
 - (4) Include at least 50 percent of the total hours of clinical supervision as individual supervision;
 - (5) Have 50 percent of the total hours of the clinical supervision conducted in person; and
 - (6) Have only supervised clinical contact credited for this requirement.
 - (7) To meet the requirements of the supervised clinical and/or counseling experience, the supervisee must:
 - (i) Meet with the supervisor for a minimum of 4 hours per month;
 - (ii) Offer documentation of supervised hours signed by the supervisor;
 - (iii) Compute part-time employment on a prorated basis for the supervised work experience; and
 - (iv) Have the background, training, and experience that is appropriate to the functions performed.
 - (8) The supervisor shall:
 - (i) Be a supervisor approved by the AASCB on Supervision; or
 - (ii) Be a licensed professional/mental health counselor in any U.S. state or territory, with a minimum of 3 to 5 years of professional work experience following licensure; or

(iii) Be a CNMI licensed professional/mental health counselor with a minimum of 3 to 5 years of professional work experience following licensure.

(e) No person who does not hold a current license shall practice or offer to professional or mental health counseling or use in connection with the person's name, or otherwise assume, use, or advertise, any title, initials, or description tending to convey the impression that the person is a professional counselor associate. No partnership, association, or corporation shall advertise or otherwise offer to provide or convey the impression that it is providing professional or mental health counseling unless an individual holding a current license is or will at the appropriate time be rendering professional or mental health counseling to which reference is made.

§ 140-50.3-004605 Licensure by Endorsement.

- (a) The Board may grant a license to a person to practice professional or mental health counseling without examination if:
- (1) The person holds a valid, active license to practice as a professional or mental health counselor or mental health counselor associate in another jurisdiction; and
 - (2) The person substantially complies with the requirements for licensure in § 140-50.3-004604; and
 - (3) The requirements in the jurisdiction of licensure are at least as stringent as those under these regulations.
- (b) The Board may deny a license by endorsement to a person to practice as a professional or mental health counselor or mental health counselor associate, if the person has been the subject of an adverse action in which his/her license was suspended, revoked, placed on probation, conditioned or renewal denied.

§ 140-50.3-004606 Applications.

- (a) An application for a license to practice as a professional or mental health counselor or mental health counselor associate shall be made on a form to be provided by the Board accompanied with the following information and documentations as are necessary to establish that the applicant possesses the qualifications as required in these regulations:
- (b) Applicant must also provide:
- (1) The applicant's full name and all aliases or other names ever used, current address, date and place of birth and social security number; and
 - (2) Applicant's 2x2 photograph taken within six (6) months from date of application; and
 - (3) The appropriate fees, including the application fee which shall not be refunded; and

- (4) Originals of all documents and credentials, or notarized or certified copies acceptable to the Board of such documents and credentials, including but not limited to:
 - (i) Diploma or certificate showing successful completion of the appropriate degree in professional counseling or mental health counseling from the required educational school or program;
 - (ii) Documents showing proof that applicant has satisfactorily completed all the appropriate required training under §140-50.3-004604;
 - (iii) Documents showing proof that applicant has taken and passed the appropriate required examination; or
 - (iv) Documents showing proof that applicant is licensed to practice as a professional or mental health counselor or mental health counselor associate in another jurisdiction and meets the licensing requirements in §140-50.3-004604, when applicable; and
 - (5) A detailed educational history, including places, institutions, dates and program descriptions of all his or her education beginning with secondary schooling and including all college, pre-professional, professional, and professional postgraduate training;
 - (6) A list of all jurisdiction, U.S. or foreign, in which the applicant is licensed or has ever applied for a license to practice as a professional or mental health counselor or mental health counselor associate;
 - (7) A list of all jurisdictions, U.S. or foreign, in which the applicant has been denied licensure or voluntarily surrendered a license to practice as a professional or mental health counselor or mental health counselor associate;
 - (8) A list of all jurisdictions, U.S. or foreign, of all sanctions, judgments, awards, settlements or convictions against the applicant that would constitute grounds for disciplinary action under the Act or these regulations.
- (c) All documents submitted in a foreign language shall be accompanied by a certified and accurate translation in English.

§ 140-50.3-004607 Continuing Education (CE).

- (a) Each professional or mental health counselor licensed to practice in the CNMI is required to complete forty (40) CE hours or four CEU and each licensed mental health counselor associate is required to complete twenty (20) CE hours or two CEU, during the 24 months prior to the expiration of his or her license as a prerequisite to the renewal of his or her biennial license.

- (b) One hour of credit will be allowed for each clock or contact hour of CE participation. One CEU equals to 10 clock, credit or contact CE hours. One academic semester hour equals to 15 CE credit or contact hour. Once academic quarter hour equals to 10 CE credit or contact hours.
- (c) Approved continuing education activities include, but are not limited to the American Mental health Counselors Association, the American Association of State Counseling Boards, the Canadian Counseling and Psychotherapy Association, and the national Board for Certified Counselors.
 - (1) A licensed Professional Counselor shall take CE/CEU including, but not limited from the following content areas:
 - (i) Counseling Theory/Practice and the helping Relationship
 - (ii) Human Growth and Development
 - (iii) Social and cultural foundations
 - (iv) Group dynamics, processing and counseling
 - (v) Career development and counseling
 - (vi) Research and program evaluation
 - (vii) Counselor Professional Identity and Practice issues
 - (viii) Ethics; and
 - (ix) Multiple Sessions/Conferences
 - (2) A Licensed Mental health Counselor shall take at least 50 percent of the CE/CEU required, including but not limited. From the following content areas:
 - (i) Counseling and Psychotherapy Theory and Practice
 - (ii) Abnormal Psychology and Psychotherapy
 - (iii) Testing and Appraisal; and
 - (iv) Group Counseling and Psychotherapy; and
 - (v) Ethics
- (d) If a licensee fails to meet the CE requirements for renewal of license because of illness, military service, or other extenuating circumstance, the Board, upon appropriate written explanation, may grant an extension of time complete same, on an individual basis.
- (e) It shall be the responsibility of the licensee to obtain documentation, satisfactory to the Board from the organization or institution of his or her participation in the continuing education, and the number of credits earned.
- (f) Licensure renewal shall be denied to any licensee who fails to provide satisfactory evident of completion of CE requirements or who falsely certified attendance at or completion of the CE as required herein.

- (a) All licenses, except temporary or limited licenses issued by the Board, expire every two years following issuance or renewal and become invalid after that date.
- (b) Each licensee shall be responsible for submitting a completed renewal application at least sixty (60) days before the expiration date. The Board shall send, by mail or email, a notice to every person licensed hereunder giving the date of expiration, the fee, and any additional requirement for the renewal thereof.
- (c) All licensees must submit satisfactory evidence of completion of CE/CEY requirements, as required under §4607 of these regulations.
- (d) A late fee of \$25.00 will be charged every 1st of the month after the expiration date.
- (e) Licenses which have expired for failure to renew on or before the date required may be reinstated within one year of the expiration date upon payment of the renewal and late fees for each calendar month until the renewal fee is paid. Each licensee whose license has expired and lapsed for more than one year by failure to renew must file a new application, meet current requirements for licensure, and receive Board approval.
- (f) A licensee whose license has been revoked, suspended, or placed on probation by the licensing authority of another U.S. or foreign jurisdiction, or who has voluntarily or involuntarily surrendered his or her license in consideration of the dismissal or discontinuance of pending or threatened administrative or criminal charges, following the expiration date of his or her CNMI license, may be deemed ineligible for renewal of his or her license to practice as a professional or mental health counselor or mental health counselor associate in the CNMI. This will not, however, prevent the Board from considering a new application.

§ 140-50.3-004609 Reserved.

§ 140-50.3-004610 Code of Ethics.

The Board recognized the NBCC's Code of Ethics and licensed counselors are responsible for ensuring that their behavior adheres to the standards identified in the Code of Ethics.

§140-50.3-004611 Disciplinary Action.

The Board shall have the power to impose administrative penalties and/or reprimands; revoke or suspend; refuse to issue, restore or renew, the license of any person who is found guilty of one or more of the violations enumerated in § 2224 of P.L. 15-105 and §§ 140-50.3-00901 - 1300 of these regulations.