

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2015

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SENATE BILL 279
Second Edition Engrossed 4/2/15
House Committee Substitute Favorable 9/15/15
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Short Title: Amend Qualifications/Practice of Counseling.

(Public)

Sponsors:

Referred to:

March 16, 2015

A BILL TO BE ENTITLED

AN ACT AMENDING THE PROFESSIONAL COUNSELORS ACT TO MODIFY EDUCATIONAL QUALIFICATIONS FOR THE PRACTICE OF COUNSELING AND TO REQUIRE LOCAL BOARDS OF EDUCATION TO ADDRESS SEX TRAFFICKING PREVENTION AND AWARENESS.

The General Assembly of North Carolina enacts:

SECTION 1. G.S. 90-336 reads as rewritten:

"§ 90-336. Title and qualifications for licensure.

(a) Each person desiring to be a licensed professional counselor associate, licensed professional counselor, or licensed professional counselor supervisor shall make application to the Board upon such forms and in such manner as the Board shall prescribe, together with the required application fee.

(b) The Board shall issue a license as a "licensed professional counselor associate" to an applicant who applies on or before March 1, 2016, and meets all of the following criteria:

(1) Has earned a minimum of 48 semester hours or 72 quarterspecified minimum of credit hours of graduate training as defined by the Board, including (i) a master's degree in counseling or a related field from a regionally accredited institution of higher educationan institution of higher education that is regionally accredited or accredited by an organization recognized by the Council for Higher Education Accreditation and (ii) the applicant meets one of the following criteria:

a. if ~~If~~ the applicant enrolled in the master's program before July 1, 2009;2009, a minimum of 48 semester hours or a minimum of 72 quarter credit hours.

b. If the applicant enrolled in the master's program before July 1, 2013, but after June 30, 2009, a minimum of 54 semester hours or 81 quarter credit hourshours.

c. If the applicant enrolled in the master's program after June 30, 2013, a minimum of 60 semester hours or 90 quarter credit hours. of graduate training as defined by the Board, including a master's degree in counseling or a related field from a regionally accredited institution of higher education if the applicant enrolled in the master's program before July 1, 2013, but after June 30, 2009; or a minimum of 60 semester hours or 90 quarter credit hours of graduate training



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1 as defined by the Board, including a master's degree in counseling or
2 a related field from a regionally accredited institution of higher
3 education if the applicant enrolled in the master's program after June
4 30, 2013.

5 (2) Repealed by Session Laws 2009-367, s. 6, effective October 1, 2009.

6 (3) Has passed an examination in accordance with rules adopted by the Board.

7 (b1) The Board shall issue a license as a "licensed professional counselor associate" to an
8 applicant who applies after March 1, 2016, through June 30, 2022, and meets all of the
9 following criteria:

10 (1) Has earned a specified minimum of credit hours of graduate training as
11 defined by the Board, including (i) a master's degree in counseling or related
12 field from an institution of higher education that is either regionally
13 accredited or accredited by an organization both recognized by the Council
14 for Higher Education Accreditation and accredited by the Council for
15 Accreditation of Counseling and Related Educational Programs and (ii) the
16 applicant meets one of the following criteria:

17 a. If the applicant enrolled in the master's program before July 1, 2009,
18 a minimum of 48 semester hours or a minimum of 72 quarter credit
19 hours.

20 b. If the applicant enrolled in the master's program before July 1, 2013,
21 but after June 30, 2009, a minimum of 54 semester hours or 81
22 quarter credit hours.

23 c. If the applicant enrolled in the master's program after June 30, 2013,
24 a minimum of 60 semester hours or 90 quarter credit hours.

25 (2) Has passed an examination in accordance with rules adopted by the Board.

26 (b2) The Board shall issue a license as a "licensed professional counselor associate" to an
27 applicant who applies on or after July 1, 2022, and meets all of the following criteria:

28 (1) Has earned a minimum of 60 semester hours or 90 quarter hours of graduate
29 training as defined by the Board, including a master's degree in counseling
30 or related field from an institution of higher education that is accredited by
31 the Council for Accreditation of Counseling and Related Educational
32 Programs.

33 (2) Has passed an examination in accordance with rules adopted by the Board.

34 (c) The Board shall issue a license as a "licensed professional counselor" to an applicant
35 who meets all of the following criteria:

36 (1) Has met all of the requirements under ~~subsection (b)~~ subsection (b), (b1), or
37 (b2) of this section, as applicable.

38 (2) Has completed a minimum of 3,000 hours of supervised professional
39 practice as determined by the Board.

40 (d) A licensed professional counselor may apply to the Board for recognition as a
41 "licensed professional counselor supervisor" and receive the credential "licensed professional
42 counselor supervisor" upon meeting all of the following criteria:

43 (1) Has met all of the requirements under subsection (c) of this section.

44 (2) Has one of the following:

45 a. At least five years of full-time licensed professional counseling
46 experience, including a minimum of 2,500 hours of direct client
47 contact;

48 b. At least eight years of part-time licensed professional counseling
49 experience, including a minimum of 2,500 hours of direct client
50 contact; or

- 1 c. A combination of full-time and part-time professional counseling
2 experience, including a minimum of 2,500 hours of direct client
3 contact as determined by the Board.
4 (3) Has completed minimum education requirements in clinical supervision as
5 approved by the Board.
6 (4) Has an active license in good standing as a licensed professional counselor
7 approved by the Board."

8 **SECTION 2.** G.S. 90-345(a)(1) reads as rewritten:

- 9 "(1) Applicant. – A person applying for licensure as a licensed professional
10 counselor associate pursuant to ~~G.S. 90-336(b)~~ G.S. 90-336(b), 90-336(b1),
11 or 90-336(b2) or licensed professional counselor pursuant to
12 G.S. 90-336(c)."

13 **SECTION 3.** G.S. 115C-81(e1)(4) reads as rewritten:

- 14 "(4) Each local school administrative unit shall provide a reproductive health and
15 safety education program commencing in the seventh grade that includes the
16 following instruction:
17 a. Teaches that abstinence from sexual activity outside of marriage is
18 the expected standard for all school-age children.
19 b. Presents techniques and strategies to deal with peer pressure and
20 offering positive reinforcement.
21 c. Presents reasons, skills, and strategies for remaining or becoming
22 abstinent from sexual activity.
23 d. Teaches that abstinence from sexual activity is the only certain
24 means of avoiding out-of-wedlock pregnancy, sexually transmitted
25 diseases when transmitted through sexual contact, including
26 HIV/AIDS, and other associated health and emotional problems.
27 e. Teaches that a mutually faithful monogamous heterosexual
28 relationship in the context of marriage is the best lifelong means of
29 avoiding sexually transmitted diseases, including HIV/AIDS.
30 f. Teaches the positive benefits of abstinence until marriage and the
31 risks of premarital sexual activity.
32 g. Provides opportunities that allow for interaction between the parent
33 or legal guardian and the student.
34 h. Provides factually accurate biological or pathological information
35 that is related to the human reproductive system.
36 i. Teaches about the preventable risks for preterm birth in subsequent
37 pregnancies, including induced abortion, smoking, alcohol
38 consumption, the use of illicit drugs, and inadequate prenatal care.

39 Materials used in this instruction shall be age appropriate for use with
40 students. Information conveyed during the instruction shall be objective and
41 based upon scientific research that is peer reviewed and accepted by
42 professionals and credentialed experts in the ~~field~~ fields of any of the
43 following: sexual health education, adolescent psychology,
44 behavioral counseling, medicine, human anatomy, biology, ethics, or health
45 education."

46 **SECTION 4.** G.S. 115C-81(e1)(4a) reads as rewritten:

- 47 "(4a) Each local school administrative unit shall also include as part of the
48 instruction required under subdivision (4) of this subsection the following
49 instruction:
50 a. Teaches about sexually transmitted diseases. Instruction shall include
51 how sexually transmitted diseases are and are not transmitted, the

effectiveness and safety of all federal Food and Drug Administration (FDA)-approved methods of reducing the risk of contracting sexually transmitted diseases, and information on local resources for testing and medical care for sexually transmitted diseases. Instruction shall include the rates of infection among pre-teen and teens of each known sexually transmitted disease and the effects of contracting each sexually transmitted disease. In particular, the instruction shall include information about the effects of contracting the Human Papilloma Virus, including sterility and cervical cancer.

- b. Teaches about the effectiveness and safety of all FDA-approved contraceptive methods in preventing pregnancy.
- c. Teaches awareness of sexual assault, sexual abuse, and risk reduction. The instruction and materials shall:
 1. Focus on healthy relationships.
 2. Teach students what constitutes sexual assault and sexual abuse, the causes of those behaviors, and risk reduction.
 3. Inform students about resources and reporting procedures if they experience sexual assault or sexual abuse.
 4. Examine common misconceptions and stereotypes about sexual assault and sexual abuse.
- d. Teaches about sex trafficking prevention and awareness. Each local school administrative unit shall:
 1. Collaborate with a diverse group of outside consultants where practical, including law enforcement with expertise in sex trafficking prevention education, to address the threats of sex trafficking.
 2. Collaborate with a diverse group of outside consultants, including law enforcement with expertise in sex trafficking, on a referral protocol for high-risk pupils and minors.

Materials used in this instruction shall be age appropriate for use with students. Information conveyed during the instruction shall be objective and based upon scientific research that is peer reviewed and accepted by professionals and credentialed experts in the field of sexual health education. Law enforcement agencies, criminal justice agencies, and nongovernmental organizations with expertise in sex trafficking prevention and awareness may also provide materials and information. Each local board of education shall adopt a policy and provide a mechanism to allow a parent or a guardian to withdraw his or her child from instruction required under this subdivision."

SECTION 5. G.S. 115C-81(e1)(4a), as amended by Section 4 of this act, reads as

rewritten:

"(4a) Each local school administrative unit shall also include as part of the instruction required under subdivision (4) of this subsection the following instruction:

- a. Teaches about sexually transmitted diseases. Instruction shall include how sexually transmitted diseases are and are not transmitted, the effectiveness and safety of all federal Food and Drug Administration (FDA)-approved methods of reducing the risk of contracting sexually transmitted diseases, and information on local resources for testing and medical care for sexually transmitted diseases. Instruction shall include the rates of infection among pre-teen and teens of each

- 1 known sexually transmitted disease and the effects of contracting
2 each sexually transmitted disease. In particular, the instruction shall
3 include information about the effects of contracting the Human
4 Papilloma Virus, including sterility and cervical cancer.
- 5 b. Teaches about the effectiveness and safety of all FDA-approved
6 contraceptive methods in preventing pregnancy.
- 7 c. Teaches awareness of sexual assault, sexual abuse, and risk
8 reduction. The instruction and materials shall:
- 9 1. Focus on healthy relationships.
- 10 2. Teach students what constitutes sexual assault and sexual
11 abuse, the causes of those behaviors, and risk reduction.
- 12 3. Inform students about resources and reporting procedures if
13 they experience sexual assault or sexual abuse.
- 14 4. Examine common misconceptions and stereotypes about
15 sexual assault and sexual abuse.
- 16 d. Teaches about sex trafficking prevention and awareness. Each local
17 school administrative unit shall:
- 18 1. Collaborate with outside consultants, including law
19 enforcement with expertise in sex trafficking prevention
20 education, to address the threats of sex trafficking.
- 21 2. Collaborate with outside consultants, including law
22 enforcement with expertise in sex trafficking, on a referral
23 protocol for high-risk pupils and minors.

24 Materials used in this instruction shall be age appropriate for use with
25 students. Information conveyed during the instruction shall be objective and
26 based upon scientific research that is peer reviewed and accepted by
27 professionals and credentialed experts in the ~~field~~fields of any of the
28 following: sexual health education-education, adolescent psychology,
29 behavioral counseling, medicine, human anatomy, biology, ethics, or health
30 education. Law enforcement agencies, criminal justice agencies, and
31 nongovernmental organizations with expertise in sex trafficking prevention
32 and awareness may also provide materials and information. Each local board
33 of education shall adopt a policy and provide a mechanism to allow a parent
34 or a guardian to withdraw his or her child from instruction required under
35 this subdivision."

36 **SECTION 6.** Sections 1 and 2 of this act become effective October 1, 2015.
37 Section 3 of this act is effective when it becomes law and applies beginning with the 2016-2017
38 school year. Section 4 of this act is effective when it becomes law and applies beginning with
39 the spring semester of the 2015-2016 school year. Section 5 of this act is effective January 1,
40 2016, and applies beginning with the 2016-2017 school year.