

SECTION .1000—IMPAIRED PROFESSIONALS PROGRAMS

21 NCAC 53 .1001 DEFINITIONS

(a) The following definitions apply to this Section:

- (1) "Applicant" means a person who has submitted an application to the Board, paid the application fee, and received confirmation of receipt of the application from the Board.
- (2) "Board" means the North Carolina Board of Licensed Mental Health Counselors as defined in G.S. 90-330(1a).
- (3) "Former Licensee" means a person who formerly held a license issued by the Board and whose license was not permanently surrendered, revoked, or suspended.
- (4) "Impairment" means a condition or disorder caused by substance use, burnout, compassion fatigue, or other mental health issue that hinders professional competence or the ability to provide or supervise clinical mental health counseling services with reasonable skill and safety, in accordance with G.S. 90-340(11).
- (5) "Imminent danger" means any condition, disorder, conduct, or practice that poses a risk of death or serious physical, mental, or emotional harm if not abated.
- (6) "Independent Provider" means a mental health or medical provider that the Program has recommended as a service provider to a Participant or a Potential Participant but is not employed by or affiliated with the Program.
- (7) "Licensee" means a person holding an active license issued by the Board.
- (8) "Monitoring" means oversight by Program staff, volunteers, and Independent Providers of Participant's compliance with a Recovery Plan, the purpose of which is to support the Participant's well-being, recovery from Impairment, and ability to practice clinical mental health counseling with reasonable skill and safety in accordance with G.S. 90-340(11).
- (9) "Participant" means a Licensee, Former Licensee, Potential Applicant, or an Applicant who has executed a Participation Agreement.
- (10) "Participation Agreement" means a written assessment, treatment, or monitoring contract or agreement between the Program and a Participant.
- (11) "Potential Applicant" means a person who has completed a qualifying graduate training program as defined in Rule .0701 of this Chapter and provides an attestation of their intention to apply for licensure by the Board within two years. The attestation form is available on the Board's website at <https://www.ncblcmhc.org/Licensure/Applying>.
- (12) "Potential Participant" means a Licensee, Former Licensee, Potential Applicant, or an Applicant about whom information concerning suspected impairment has been provided to the Board or the Program, including an individual the Board has referred to the Program, or an individual who has self-referred to the Program.
- (13) "Program" means an impaired professionals program established by the Board or with whom the Board has an agreement or otherwise made arrangements to provide Screening and Monitoring to Potential Participants or Participants who have or may have an Impairment.
- (14) "Recovery Plan" means a comprehensive strategy to address a Participant's Impairment, including Monitoring and Recovery Services.
- (15) "Recovery Services" mean services provided to Participants or Potential Participants from Independent Providers, including assessment, substance testing, referrals, treatment, and follow-up care.
- (16) "Screening" means to meet with a Potential Participant, conduct an investigation of a Potential Participant, gather pertinent personal, professional, physical, and mental health information, and interview collateral sources, when necessary, to determine if a potential Impairment exists and, if so, provide recommendations for a Recovery Plan.

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