

21 NCAC 53 .1003 PROGRAM OPERATIONS AND PROCEDURES FOR ALL PARTICIPANTS

(a) The Program may receive information about suspected Impairment of a Potential Participant through any of the following sources:

- (1) Referral by the Board, including as part of the application or disciplinary process;
- (2) Self-referral by the Potential Participant; and
- (3) Referral from physicians, counselors, other mental health professionals, family members, colleagues, co-workers, or other individuals or sources with direct or personal knowledge concerning a Potential Participant.

(b) Regardless of the source of the referral, the Program may investigate and conduct a Screening.

(c) The Program may consult with Independent Providers and treating mental health or medical providers in conducting a Screening.

(d) If the Program finds from the investigation or Screening that an Impairment likely exists, it may refer the Potential Participant for an assessment or treatment by an Independent Provider.

(e) If Monitoring is recommended by the Program or an Independent Provider, the Program shall develop a Recovery Plan and request the Potential Participant to become a Participant.

(f) As part of the Program's Monitoring, Participants shall submit urine or other bodily specimens to the Program, as requested, to test for the presence of any substances that could indicate Impairment.

(g) Participants shall submit to periodic interviews with the Program staff or volunteers. The Program shall determine the frequency of personal interviews necessary to evaluate the Participant's Impairment and ability to practice clinical mental health counseling.

(h) Upon signing a Participation Agreement, Participant shall sign releases to authorize the disclosure or exchange of information or documentation about Participant's compliance with the Participation Agreement and Recovery Plan:

- (1) to the Board consistent with Rule .1005 of this Section;
- (2) between the Program, Independent Providers, and treating mental health or medical professionals; and
- (3) from employers or other individuals assigned to monitor Participant in the workplace.

(i) A Participant shall comply with the Participation Agreement. A Participant's failure to comply with the Participation Agreement shall be deemed a failure to cooperate with the Board and shall subject the Participant to disciplinary action or denial of licensure by the Board pursuant to G.S. 90-340(a)(7) and (15).

*History Note: Authority G.S. 90-334(l); G.S. 90-340;
 Eff. February 1, 2026.*