21 NCAC 53 .0312 is adopted with changes as published in 40:20 NCR 1621-22 as follows:

21 NCAC 53 .0312 LICENSURE BY VIRTUE OF PRIVILEGE AND CHANGE OF RESIDENCY UNDER PROFESSIONAL COUNSELING LICENSURE COMPACT

(a) The terminology used in this Rule conforms to the definitions set forth in G.S. 90-349.2. In accordance with G.S. 90-349.15, Rules .0205, .0206, and .0304 of this Chapter shall not apply to applicants under this Rule. Pursuant to G.S. 90-349.5, ~~and notwithstanding the requirements of Rules .0205, .0206, and .0304 of this Chapter,~~ an individual licensed by another member state of the Professional Counseling Licensure Compact, and who holds ~~an active~~ a privilege to practice in this State, may apply for licensure as a Licensed Clinical Mental Health Counselor by virtue of the privilege if North Carolina has become the individual's ~~primary residence.~~ home state. The privilege holder seeking licensure based on change of ~~primary residency~~ home state shall submit an application on the form furnished by the Board at www.ncblcmhc.org. The ~~following~~ application form shall contain the following information and documentation: ~~documentation must be provided with the application form:~~

(1) ~~Complete~~ Full legal name;

(2) Date of birth;

(3) Social Security Number;

(4) National Practitioner Identifier;

(5) Any other name by which the applicant was known in the past, accompanied by a certified copy of a court order of name change, if applicable;

(6) Home phone number;

(7) Work phone number;

(8) Cell phone number;

(9) Email address;

(10) Primary residential address, dates of residency at that address, and any other primary residential addresses in the 12 consecutive months prior to submitting the application;

(11) Proof of applicant's primary residency in North Carolina, including any of the following documentation for the applicant:

(A) ____filed North Carolina state income tax return for the most recent year;

(B) ____deed demonstrating ownership of property in North Carolina where the applicant resides;

(C)_____unexpired North Carolina driver's license;

(D)_____ active registration to vote in North Carolina; or

(E) ____active registration in North Carolina of a vehicle owned by applicant;

(12) Identification of current home state, home state license number, current license status, any prior disciplinary or administrative action, and expiration date of home state license;

(13) North Carolina privilege number;

(14) A statement regarding any existing or prior encumbrance or restriction on any state-issued license or privilege and the dates of such encumbrance or restriction;

(15) A statement regarding any adverse action, including disciplinary action, taken against the applicant's license or privilege in any state;

(16) The applicant's Professional Disclosure Statement meeting the requirements of Rule .0204 of this Chapter;

(17) A completed ~~fingerprint record card~~ and signed North Carolina State Bureau of Investigation electronic fingerprint submission release of information form authorizing the Board to request and receive a fingerprint-based criminal history record check from the Federal Bureau of Investigation and the North Carolina State Bureau of ~~Investigation;~~ ~~and~~ Investigation. The form is available through the application portal on the Board's website at https://portal.ncblcmhc.org/; and

(18) Documentation of successful completion of the jurisprudence exam published on the Board's website, completed within six months prior to seeking licensure.

(b) Pursuant to G.S. 90-349.5(b), the applicant for licensure ~~must~~ shall pay the application fee set forth in Rule .0501 of this Chapter.

(c) Once a privilege is converted to a home state license, applicant shall notify their former home state that North Carolina is their new home state under the Compact.

History Note: *Authority G.S. 90-334; 90-349.3; 90-349.4; 90-349.5; 90-349.15;*
Eff. October 1, 2026.