

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1993

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SENATE BILL 478\*

Short Title: Marriage & Family Therapists.

(Public)

Sponsors: Senators Perdue; Jordan, Albertson, Martin of Pitt, Hoyle, Seymour, Lee, Shaw, Marshall, Gunter, Richardson, Martin of Guilford, and Carpenter.

Referred to: Children and Human Resources.

April 20, 1993

A BILL TO BE ENTITLED

AN ACT TO REQUIRE LICENSURE OF MARRIAGE AND FAMILY THERAPISTS.

The General Assembly of North Carolina enacts:

Section 1. This act shall be known and may be cited as the "Marriage and Family Therapy Licensure Act of 1993."

Sec. 2. Article 18C of Chapter 90 of the General Statutes reads as rewritten:

**"ARTICLE 18C.**

~~"Marital Marriage and Family Therapy Certification Licensure Act.~~

**"§ 90-270.45. Title of Article.**

This Article shall be known as the '~~Marital Marriage and Family Therapy Certification Licensure Act.~~'

**"§ 90-270.46. Policy and purpose.**

~~Marital Marriage and family therapy in the State of North Carolina is declared to be a professional practice which that affects the public safety and welfare and requires appropriate certification licensure and control in the public interest.~~

It is the purpose of this Article to establish a ~~certification licensure~~ agency, a structure, and procedures ~~which that~~ will (i) ensure that the public has a means of protecting itself from the practice of marriage and family therapy by unprofessional, unauthorized, and unqualified individuals, and (ii) protect the public from unprofessional, improper, unauthorized and unqualified use of certain titles by persons

1 who practice ~~marital~~marriage and family therapy. This Article shall be liberally  
2 construed to carry out these policies and purposes.

3 **"§ 90-270.47. Definitions.**

4 As used in this Article, unless the context clearly requires a different meaning:

- 5 (1) 'Allied mental health field' and 'degree' mean:  
6 a. Master's or doctoral degree in clinical social work;  
7 b. Master's or doctoral degree in psychiatric nursing;  
8 c. ~~Doctoral~~Master's or doctoral degree in counseling or clinical or  
9 counseling psychology;  
10 d. Doctor of medicine or doctor of osteopathy degree with an  
11 appropriate residency training in psychiatry; or  
12 e. Master's or doctoral degree in any mental health field ~~wherein~~  
13 the course of study of which is equivalent to the master's degree  
14 in ~~marital~~marriage and family therapy.
- 15 (2) 'Board' means the North Carolina ~~Marital~~Marriage and Family  
16 Therapy Certification~~Licensure~~ Board.
- 17 (3) "~~Certified marital~~Licensed marriage and family therapist' means a  
18 person to whom a ~~certificate~~license has been issued pursuant to the  
19 ~~provisions of this Article, which certificate~~if the license is in force and  
20 not suspended or ~~revoked as of the particular time in question~~revoked.
- 21 (3a) 'Marriage and family therapy' is the clinical practice of the diagnosis  
22 and treatment of mental and emotional disorders, whether cognitive,  
23 affective, or behavioral, within the context of marriage and family  
24 systems. Marriage and family therapy involves the professional  
25 application of psychotherapeutic and family systems theories and  
26 techniques in the delivery of services to individuals, couples, and  
27 families for the purpose of treating these diagnosed mental and  
28 emotional disorders.
- 29 (4) 'Practice of ~~marital~~marriage and family therapy' means the rendering  
30 of professional ~~marital~~marriage and family therapy ~~or counseling~~  
31 services to individuals, ~~family groups and marital pairs,~~couples, or  
32 families, singly or in groups, whether ~~such~~the services are offered  
33 directly to the general public or through organizations, either public or  
34 private, for a fee, monetary or otherwise. "~~Marital and family therapy~~" is  
35 a ~~specialized field of therapy which centers largely upon the family system~~  
36 ~~and the relationship between husband and wife.~~ "~~Marital and family~~  
37 ~~therapy~~" consists of the application of principles, methods, educational and  
38 therapeutic techniques for the purpose of resolving emotional conflict,  
39 ~~altering old attitudes and establishing new ones in the area of marriage and~~  
40 ~~family life.~~
- 41 (5) 'Recognized educational institution' means any educational institution  
42 ~~which~~that grants a bachelor's, master's, or doctor'sdoctoral degree and  
43 ~~which~~is recognized by the Board orand by a nationally or regionally  
44 recognized educational or professional accrediting body.

45 **"§ 90-270.48. Prohibited acts.**

1 Except as specifically provided elsewhere in this Article, ~~commencing January 1,~~  
 2 ~~1980, no person who is not certified under this Article shall use a title or description~~  
 3 ~~such as "certified marital or marriage therapist, counselor, advisor or consultant,"~~  
 4 ~~"certified marital or marriage and family therapist, counselor, advisor or consultant," or~~  
 5 ~~any other name, style or description denoting that the person is a certified marital and~~  
 6 ~~family therapist. Nothing herein shall prohibit any person from advertising the~~  
 7 ~~performance of marital and family therapy or counseling services, the persons from~~  
 8 ~~whom it may be obtained and prices. It is unlawful for a person not licensed as a~~  
 9 ~~marriage and family therapist under this Article to practice marriage or family therapy~~  
 10 ~~or hold himself or herself out to the public as a person practicing marriage and family~~  
 11 ~~therapy.~~

12 **"§ 90-270.48A. Exemptions.**

13 (a) This Article does not prevent members of the clergy or licensed, certified, or  
 14 registered members of other professional groups as defined by the Board, including  
 15 certified social workers, registered practicing counselors, fee-based practicing pastoral  
 16 counselors, licensed practicing psychologists, physicians, and attorneys-at-law, from  
 17 advertising or performing services consistent with their profession, except that such a  
 18 person, unless licensed under this Article, may not use the title 'Licensed Marriage and  
 19 Family Therapist,' use the letters 'LMFT,' or in any way imply the person is a licensed  
 20 marriage and family therapist.

21 (b) A person is exempt from the requirements of this Article if any of the  
 22 following conditions are met:

23 (1) The person is (i) preparing for the practice of marriage and  
 24 family therapy in a manner prescribed by rules of the Board, (ii)  
 25 under qualified supervision in a training institution or facility or  
 26 supervisory arrangement recognized and approved by the  
 27 Board, and (iii) designated by a title such as 'marriage and  
 28 family therapy intern,' or 'marriage and family therapy  
 29 supervisee,' or another similar title approved by the Board.

30 (2) The person is practicing marriage and family therapy as an  
 31 employee of a recognized educational institution, or a  
 32 governmental institution or agency and the practice is included  
 33 in the duties for which the person was employed by the  
 34 institution or agency.

35 (3) The person is practicing marriage and family therapy as an  
 36 employee of a nonprofit organization which the Board has  
 37 determined meets community needs and the practice is included  
 38 in the duties for which the person was employed by the  
 39 nonprofit organization.

40 **"§ 90-270.49. North Carolina Marital-Marriage and Family Therapy Certification**  
 41 **Licensure Board.**

42 (a) Establishment. – There is hereby established as an agency of the State of  
 43 North Carolina the North Carolina ~~Marital-Marriage and Family Therapy Certification~~  
 44 Licensure Board, which shall be composed of seven Board members, ~~one of which shall~~

1 ~~be designated as chairperson, members to be appointed in the manner as provided for in~~  
2 G.S. 90-270.50. ~~Of the first Board members appointed, three shall continue in office for two~~  
3 ~~years, two for three years, and two, including the chairperson for four years, respectively.~~  
4 ~~Their successors~~ Board members shall be appointed for terms of four years each, except  
5 that any person chosen to fill a vacancy shall be appointed only for the unexpired term  
6 of the Board member whom he shall succeed. Upon the expiration of ~~his~~ a Board  
7 member's term of office, ~~a~~ the Board member shall continue to serve until ~~his~~ successor  
8 ~~shall have been appointed and shall have a successor has~~ qualified. No person may be  
9 appointed more than once to fill an unexpired term or for more than two consecutive  
10 full terms. The Governor shall designate one Board member to serve as chairperson  
11 ~~during the term of his appointment to the Board.~~ No person may serve as chairperson for  
12 more than four years.

13 The Governor may remove any member ~~of~~ from the Board or remove the  
14 chairperson from ~~his~~ the position ~~as~~ of chairperson only for neglect of ~~duty~~ or  
15 ~~malfeasance or duty, malfeasance, or conviction of a felony or crime of moral turpitude~~  
16 ~~while in office but for no other reason.~~ office.

17 No Board member shall participate in any matter before the Board in which ~~he~~ the  
18 member has a pecuniary interest, personal bias, or other similar conflict of interest.

19 (b) Quorum and Principal Office. – Four of the members of the Board shall  
20 constitute a quorum of the Board. The Board shall specify the principal office of the  
21 ~~Board shall be at such location in the State of North Carolina as the Board shall from time to~~  
22 ~~time specify.~~ Board within this State.

23 (c) Board Employees. ~~The Board is authorized to employ, subject to the~~  
24 ~~provisions of Chapter 126 of the General Statutes, such attorneys, experts, and other~~  
25 ~~employees as it may from time to time find necessary for the proper performance of its~~  
26 ~~duties and for whom the necessary funds are appropriated.~~

27 **"§ 90-270.50. Appointment and qualification of Board members.**

28 (a) Nominations for Appointment. – The Governor shall appoint members of the  
29 Board only from among the candidates who meet the following qualifications:

- 30 (1) Four members shall be practicing ~~marital~~ marriage and family  
31 therapists who ~~meet the educational and experience requirements stated in~~  
32 ~~this Article for persons applying after January 1, 1981; are~~ licensed  
33 marriage and family therapists in the State at the time of their  
34 appointment, and each shall have been each of whom has been for at  
35 least five years immediately preceding appointment actively engaged  
36 as a ~~marital~~ marriage and family therapist in rendering professional  
37 services in ~~marital~~ marriage and family therapy, or in the education and  
38 training of ~~doctoral or postdoctoral graduate or postgraduate~~ students of  
39 ~~marital~~ marriage and family therapy, and ~~shall have~~ has spent the  
40 majority of the time devoted ~~by him~~ to such this activity in this State  
41 during the two years preceding his ~~appointment, in this State.~~  
42 appointment. ~~The initial appointees, appointed pursuant to this section,~~  
43 ~~shall be deemed to be and shall become certified practicing marital and~~

1 family therapists immediately upon their appointment and qualification as  
2 members of the Board.

3 (2) Three members shall be representatives of the general public who have  
4 no direct affiliation with the practice of ~~marital~~ marriage and family  
5 therapy.

6 (b) The appointment of any member of the Board shall automatically terminate  
7 30 days after the date ~~such~~ the member is no longer a resident of the State of North  
8 Carolina.

9 (c) ~~If before the expiration of his term any member shall die, resign, become~~  
10 ~~disqualified, or otherwise cease to be a Board member, the vacancy shall be filled by the~~  
11 ~~The Governor shall fill any vacancy by appointment for the unexpired term.~~

12 **"§ 90-270.51. Board meetings. Powers and duties.**

13 (a) The Board shall administer and enforce ~~the provisions of this Article.~~

14 (b) ~~The Board may adopt rules to implement this Article. Subject to the provisions of~~  
15 ~~Chapter 150B of the General Statutes, the Board may adopt, amend, or repeal rules to~~  
16 ~~administer and enforce this Article, including rules of professional ethics for the~~  
17 ~~practice of marriage and family therapy.~~

18 (c) The Board shall examine and pass on the qualifications of all applicants for  
19 ~~certificates~~ licensure under this Article, and shall issue a ~~certificate~~ license to each  
20 successful applicant ~~therefor.~~ applicant.

21 (d) The Board may adopt a seal which may be affixed to all ~~certificates~~ licenses  
22 issued by the Board.

23 (e) The Board may authorize expenditures ~~deemed necessary~~ to carry out the  
24 provisions of this Article from the fees ~~which that~~ it collects, but ~~in no event shall~~  
25 expenditures may not exceed the revenues of the Board during any fiscal year.

26 (f) ~~The Board may employ, subject to the provisions of Chapter 126 of the~~  
27 ~~General Statutes, attorneys, experts, and other employees as necessary to perform its~~  
28 ~~duties.~~

29 **"§ 90-270.52. Certification-License application.**

30 (a) Each person desiring to obtain a ~~certificate~~ license under this Article shall  
31 ~~make application thereof apply~~ to the Board upon ~~such the~~ form and in ~~such the~~ manner as  
32 ~~the Board shall prescribe and prescribed by the Board. Each applicant shall furnish~~  
33 evidence satisfactory to the Board that ~~he~~ the applicant:

34 (1) Is of good moral character;

35 (2) Has not engaged or is not engaged in any practice or conduct ~~which~~  
36 ~~that~~ would be a ground for denial, ~~revocation~~ revocation, or suspension  
37 of a ~~certificate~~ license under G.S. 90-270.60;

38 (3) Is qualified for ~~certification~~ licensure pursuant to the requirements of  
39 this Article.

40 (b) A license obtained through fraud or by any false representation is void.

41 **"§ 90i before July 1, 1982.**

42 ~~Any person who applies on or before July 1, 1982, shall be issued a certificate by the~~  
43 ~~Board if he meets the qualifications set forth in subdivisions (1), (2), and (3) of G.S. 90-~~  
44 ~~270.52 and provides satisfactory evidence to the Board that he either:~~

- 1           (1) Meets educational and experience qualifications as follows:  
2           a. Educational requirements: Possesses a minimum of a master's  
3           degree or the equivalent from a recognized educational  
4           institution in the field of marriage or family therapy or a degree  
5           in an allied mental health field or shall be a clergyman or a  
6           physician whose official transcripts establish that he has  
7           completed an appropriate course of study in an allied mental  
8           health field. In addition, an applicant meets the educational  
9           requirements by presenting satisfactory evidence of post-  
10          master's or post-doctoral training taken in the field of marital  
11          and family therapy or counseling from an educational or  
12          training institution or program recognized by the Board  
13          notwithstanding the fact that such training was taken at a  
14          nondegree granting institution or in a nondegree program,  
15          provided that such training, by itself or in combination with any  
16          training received as part of the program leading to a degree  
17          from a recognized educational institution, is the equivalent in  
18          content and quality, as defined in the duly adopted rules and  
19          regulations of the Board, of a master's or doctoral degree in  
20          marital and family therapy and counseling.  
21          b. Experience requirements: At least 3,000 hours of clinical  
22          experience in the practice of marital and family therapy, not  
23          more than 500 hours of which experience was obtained while  
24          the candidate was a student in a master's degree program and at  
25          least 2,500 of which experience was obtained subsequent to the  
26          granting of such degree in the field of marital and family  
27          therapy or an allied mental health field; or  
28          (2) Was certified prior to July 1, 1982, in this State in an allied mental  
29          health profession and satisfies the educational requirements for  
30          certification as a certified marital and family therapist set forth in (1)a.,  
31          of this section.

32 **"§ 90-270.54. Application for certificate by examination. Requirements for license.**

33       (a) Any person who applies to the Board after January 1, 1981, Each applicant shall  
34 be issued a certificate license by the Board if he the applicant meets the qualifications set  
35 forth in subdivisions (1), (2), and (3) of G.S. 90-270.52 G.S. 90-270.52(a) and provides  
36 satisfactory evidence to the Board that he the applicant:

- 37       (1) Meets educational and experience qualifications as follows:  
38       a. Educational requirements: Possesses a minimum of a master's  
39       degree or the equivalent from a recognized educational  
40       institution in the field of marital-marriage and family therapy or  
41       counseling, therapy, or a degree in an allied mental health field,  
42       which degree is evidenced by the applicant's official transcripts  
43       which establish that he the applicant has completed an  
44       appropriate course of study in an allied mental health field. In

1 addition, an applicant meets the educational requirements by  
 2 ~~presenting if the applicant presents~~ satisfactory evidence of post-  
 3 master's or post-doctoral training taken in the field of marital  
 4 marriage and family therapy ~~or counseling from an educational or~~  
 5 ~~training institution or a~~ program recognized by the Board  
 6 notwithstanding the fact that such ~~regardless whether~~ the training  
 7 was taken at a nondegree granting institution or in a nondegree  
 8 program, ~~provided that such as long as the~~ training, by itself or in  
 9 combination with any ~~training received as part of the program~~  
 10 ~~leading to a degree from a recognized educational institution, other~~  
 11 training, is the equivalent in content and quality, as defined in  
 12 the ~~duly adopted rules and regulations of the Board, of a master's~~  
 13 or doctoral degree in marital-marriage and family ~~therapy and~~  
 14 ~~counseling-therapy.~~

- 15 b. Experience requirements: ~~At~~ Has at least 1,500 hours of clinical  
 16 experience in the practice of marital-marriage and family  
 17 therapy, not more than 500 hours of which ~~experience was were~~  
 18 obtained while the candidate was a student in a master's degree  
 19 program and at least 1,000 of which ~~experience was were~~  
 20 obtained ~~subsequent to the granting of such after the applicant was~~  
 21 granted a degree in the field of marital-marriage and family  
 22 therapy or an allied mental health field (with ongoing  
 23 supervision consistent with standards approved by the Board);  
 24 and

- 25 (2) Passes ~~a written and/or oral an~~ an examination administered by the Board.

26 (b) Any person who is a certified marriage and family therapist on January 1,  
 27 1994, shall be deemed to be a licensed marriage and family therapist as of that date.  
 28 Valid and unexpired certificates operate as licenses for the purposes of this Article until  
 29 the date set for renewal of the certificate, at which time the Board shall issue the  
 30 certificate holder a license in accordance with G.S. 90-270.58.

31 **"§ 90-270.55. Examination-Examinations.**

32 (a) The Board shall conduct an examination at least once a year at a time and  
 33 place designated by the Board. (b) Examinations may be ~~written or oral written,~~  
 34 oral, or both as determined by the Board. (c) Examinations shall include questions in  
 35 ~~such~~ theoretical and applied fields to test an applicant's knowledge and competence to  
 36 engage in the practice of marital-marriage and family therapy. (d) ~~An applicant shall~~  
 37 ~~be held to have passed an examination upon affirmative vote of a majority of the members of~~  
 38 ~~the Board present and voting.~~ The Board shall set the passing score for examinations. (e)

39 Any person who fails an examination conducted by the Board shall not be  
 40 admitted to a subsequent examination for a period of at least six months.

41 **"§ 90-270.55A. Temporary license.**

42 The Board shall issue a nonrenewable temporary license to a person applying for  
 43 licensure under G.S. 90-270.54 for a period not to exceed the lesser of one year or the  
 44 date next scheduled for issuance of new licenses pursuant to G.S. 90-270.54 upon a

1 finding that the person substantially meets the education and experience requirements of  
2 G.S. 90-270.54(a)(1). No temporary license shall be issued to a person who has failed  
3 an examination administered under G.S. 90-270.55. Recipients of temporary licenses  
4 have all the rights, duties, and obligations of permanent licensees, except that the Board  
5 shall limit by rule the practice of marriage and family therapy by temporary licensees.

6 **"§ 90-270.56. Reciprocal certificates-licenses.**

7 The Board shall issue a certificate-license by reciprocity to any person who applies  
8 for the license as prescribed by the Board and who is licensed or certified as a marital  
9 marriage and family therapist in another state whose requirements for the license or  
10 certificate are equivalent to or exceed the requirements of this State, provided the  
11 applicant submits an application on forms prescribed by the Board and pays the original  
12 certification fee prescribed by this Article-State.

13 **"§ 90-270.57. Fees.**

14 The Board shall charge each applicant for certification an application fee not to  
15 exceed seventy five dollars (\$75.00). This fee shall be payable to the Board by the  
16 applicant at the time of filing application. In no case shall the application fee be  
17 refunded, unless in the discretion of the Board the applicant shall be deemed ineligible  
18 for examination. In addition, the Board may charge an examination fee not to exceed  
19 fifty dollars (\$50.00) to each applicant to whom an examination is administered.

20 In order to fund the Board's activities under this Article, the Board may charge and  
21 collect fees not exceeding the following:

- |    |     |  |                |
|----|-----|--|----------------|
| 22 | (1) | <u>Each license examination</u>                    | <u>\$50.00</u> |
| 23 | (2) | <u>Each license application</u>                    | <u>150.00</u>  |
| 24 | (3) | <u>Each renewal of license</u>                     | <u>50.00</u>   |
| 25 | (4) | <u>Each reciprocal license application</u>         | <u>150.00</u>  |
| 26 | (5) | <u>Each reinstatement of an expired license</u>    | <u>75.00</u>   |
| 27 | (6) | <u>Each application to return to active status</u> | <u>75.00.</u>  |

28 The Board is authorized to return all or a portion of fees paid in cases where the  
29 applicant is ineligible or in cases of undue hardship.

30 **"§ 90-270.58. Renewal of certificate-license.**

31 The Board shall require the renewal of all certificates of qualification annually on  
32 the first day of July, and shall charge and collect a fee not to exceed fifty dollars  
33 (\$50.00) for such renewal.

34 All licenses issued under this Article shall expire automatically on the first day of  
35 July of each year. The Board shall renew a license upon (i) completion of the  
36 continuing education requirements of G.S. 90-270.58B and (ii) payment of the renewal  
37 fee.

38 **"§ 90-270.58A. Reinstatement after expiration.**

39 A person whose license has expired may have the license reinstated as prescribed by  
40 the Board. The Board shall charge and collect a fee for reinstatement of the license.

41 **"§ 90-270.58B. Inactive status.**

42 (a) A person who holds a valid and unexpired license and who is not actively  
43 engaged in the practice of marriage and family therapy may apply to the Board to be



1 placed on inactive status. A person on inactive status shall not be required to pay  
2 annual renewal fees.

3 (b) A person on inactive status shall not practice or hold himself out as practicing  
4 marriage and family therapy or perform any other activities prohibited by this Article.

5 (c) A person desiring to return to active status shall submit written application to  
6 the Board. The Board shall return the person to active status upon payment of the fee  
7 specified in G.S. 90-270.57 and upon such showing of competency to resume practice  
8 as the Board may require.

9 **"§ 90-270.58C. Continuing education requirements.**

10 The Board shall prescribe continuing education requirements for licensees as the  
11 Board shall prescribe. These requirements shall be designed to maintain and improve  
12 the quality of professional services in marriage and family therapy provided to the  
13 public, to keep the licensee knowledgeable of current research, techniques, and practice,  
14 and to provide other resources that will improve skill and competence in marriage and  
15 family therapy. The number of hours of continuing education shall not exceed the  
16 number of hours available that year in Board-approved courses within the State. The  
17 Board may waive these continuing education requirements for not more than 12 months,  
18 but only upon the licensee's satisfactory showing to the Board of undue hardship.

19 **"§ 90-270.59. Disposition of funds.**

20 All fees and other moneys collected and received by the Board shall be used for the  
21 purpose of implementing to implement this Article.

22 **"§ 90-270.60. Denial, ~~revocation~~ revocation, or suspension of certification-license.**

23 (a) Grounds for Denial, Revocation, or Suspension. – The Board is authorized to  
24 deny, revoke ~~may deny, revoke,~~ or suspend a ~~certificate~~ license granted pursuant to this  
25 Article on any of the following grounds:

- 26 (1) Conviction of a felony under the laws of the United States or of any  
27 state of the United ~~States;~~ States.
- 28 (2) Conviction of any crime, an essential element of which is dishonesty,  
29 deceit, or ~~fraud;~~ fraud.
- 30 (3) Fraud or deceit in obtaining a ~~certificate~~ license as a ~~certified marital~~  
31 marriage and family therapist; ~~therapist.~~
- 32 (4) Dishonesty, fraud or gross negligence in the practice of ~~marital~~  
33 marriage and family therapy; ~~therapy.~~
- 34 (5) Violation of any rule of professional ethics and professional conduct  
35 adopted by the Board.

36 (b) Any disciplinary action taken shall be in accordance with ~~the provisions of~~  
37 Chapter 150B of the General Statutes.

38 **"§ 90-270.61. Penalties.**

39 Any person not ~~certified~~ licensed as a ~~marital~~ marriage and family therapist under this  
40 Article, ~~who on or after January 1, 1980,~~ Article who engages in the practice of marriage  
41 and family therapy, or holds himself or herself out to be or advertises that he is a certified  
42 marital and family therapist in violation of this Article has committed an infraction, which is  
43 punishable by a fine of not more than one hundred dollars (\$100.00). An infraction is an  
44 unlawful act that is not a crime. The procedure for charging and trying an infraction is the same

1 ~~as for a misdemeanor, but conviction of an infraction has no consequence other than payment~~  
2 ~~of a fine. a marriage or family therapist or engaged in marriage and family therapy in~~  
3 ~~violation of this Article is guilty of a misdemeanor punishable by a fine not to exceed~~  
4 ~~two hundred dollars (\$200.00) for the first offense and five hundred dollars (\$500.00)~~  
5 ~~for each subsequent offense.~~

6 "**§ 90-270.62. Injunction.**

7 As an additional remedy, the Board may proceed in a superior court to enjoin and  
8 restrain any ~~uncertified~~ person without a valid license from violating the prohibitions of  
9 this Article. The Board shall not be required to post bond to such proceeding."

10 Sec. 3. All members of the North Carolina Marital and Family Therapy  
11 Certification Board shall continue to be members of the North Carolina Marriage and  
12 Family Therapy Licensure Board until the expiration of their terms as members of the  
13 North Carolina Marital and Family Therapy Certification Board.

14 Sec. 4. (a) The North Carolina Marriage and Family Therapy Licensure Board  
15 shall be considered a continuation of the North Carolina Marital and Family Therapy  
16 Certification Board for the purpose of succession to all rights, powers, duties, and  
17 obligations of the North Carolina Marital and Family Therapy Certification Board.

18 (b) No action or proceeding involving the North Carolina Marital and Family  
19 Therapy Certification Board that is pending on the effective date of this act shall be  
20 affected by this act. No cause of action arising under this Article before the effective  
21 date of this act is affected by this act.

22 (c) All rules, regulations, acts, determinations, and decisions of the North  
23 Carolina Marital and Family Therapy Certification Board in force on the effective date  
24 of this act shall continue in force as rules, regulations, acts, determinations, and  
25 decisions of the North Carolina Marriage and Family Therapy Licensure Board until  
26 modified or repealed by the North Carolina Marriage and Family Therapy Licensure  
27 Board.

28 Sec. 5. This act becomes effective January 1, 1994.