

- 1 c. How the services to be provided by the licensed clinical social
2 worker, the masters level psychiatric nurse, or the masters level
3 certified clinical addictions specialist under the waiver are
4 within each of these professional's scope of practice.
- 5 d. How the health, safety, and welfare of individuals will continue
6 to be at least as well protected under the waiver as under the
7 statutory requirement.
- 8 (2) The Secretary shall review the request and may approve it upon
9 finding that:
- 10 a. The request meets the requirements of this section.
- 11 b. The request furthers the purposes of State policy under G.S.
12 122C-2 and mental health, developmental disabilities, and
13 substance abuse services reform.
- 14 c. The request improves the delivery of mental health,
15 developmental disabilities, and substance abuse services in the
16 counties affected by the waiver and also protects the health,
17 safety, and welfare of individuals receiving these services.
- 18 d. The duties and responsibilities performed by the licensed
19 clinical social worker, the masters level psychiatric nurse, or the
20 masters level certified clinical addictions specialist are within
21 the individual's scope of practice.
- 22 (3) The Secretary shall evaluate the effectiveness, quality, and efficiency
23 of mental health, developmental disabilities, and substance abuse
24 services and protection of health, safety, and welfare under the waiver.
- 25 (4) The waiver granted by the Secretary under this section shall be in
26 effect for a period not to exceed three years, or the period for which
27 the requesting local management entity's business plan is approved,
28 whichever is shorter.
- 29 (5) The Secretary may grant a waiver under this section only to one local
30 management entity located in the western part of the State that has
31 been designated a phase-one entity as of July 1, 2003.
- 32 (6) In no event shall the substitution of a licensed clinical social worker,
33 masters level psychiatric nurse, or masters level certified clinical
34 addictions specialist under a waiver granted under this section be
35 construed as authorization to expand the scope of practice of the
36 licensed clinical social worker, the masters level psychiatric nurse, or
37 the masters level certified clinical addictions specialist.
- 38 (7) The Department shall assure that staff performing the duties are
39 trained and privileged to perform the functions identified in the waiver.
- 40 (8) The local management entity shall assure that a physician is available
41 at all times to provide backup support to include telephone
42 consultation and face-to-face evaluation, if necessary.

43 **SECTION 2.** This act becomes effective July 1, 2003, and expires July 1,

44 2006.