

§ 90-349.5. Obtaining a new home state license based on a privilege to practice.

(a) A licensed professional counselor may hold a home state license, which allows for a privilege to practice in other member states, in only one member state at a time.

(b) If a licensed professional counselor changes primary state of residence by moving between two member states, the licensed professional counselor shall do all of the following:

- (1) File an application for obtaining a new home state license by virtue of a privilege to practice.
- (2) Pay all applicable fees.
- (3) Notify the current and new home state in accordance with applicable rules adopted by the Commission.

(c) Upon receipt of an application for obtaining a new home state license by virtue of privilege to practice, the new home state shall verify that the licensed professional counselor meets the pertinent criteria outlined in G.S. 90-349.4 via the data system, without need for primary source verification, except for the following:

- (1) A Federal Bureau of Investigation fingerprint-based criminal background check, if not previously performed or updated, pursuant to applicable rules adopted by the Commission in accordance with P.L. 92-544.
- (2) Other criminal background checks, as required by the new home state.
- (3) Completion of any requisite jurisprudence requirements of the new home state.

(d) The former home state shall convert the former home state license into a privilege to practice once the new home state has activated the new home state license in accordance with applicable rules adopted by the Commission.

(e) Notwithstanding any other provision of this Compact, if the licensed professional counselor cannot meet the criteria in G.S. 90-349.4, the new home state may apply its requirements for issuing a new single-state license.

(f) The licensed professional counselor shall pay all applicable fees to the new home state in order to be issued a new home state license.

(g) If a licensed professional counselor changes primary state of residence by moving from a member state to a nonmember state, or from a nonmember state to a member state, the state criteria shall apply for issuance of a single-state license in the new state.

(h) Nothing in this Compact shall interfere with a licensee's ability to hold a single-state license in multiple states; however, for the purposes of this Compact, a licensee shall have only one home state license.

(i) Nothing in this Compact shall affect the requirements established by a member state for the issuance of a single-state license. (2022-52, s. 1.)