

# HOUSE BILL 459

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CF SB 502

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By: **Chair, Health and Government Operations Committee**

Introduced and read first time: January 30, 2008

Assigned to: Health and Government Operations

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Committee Report: Favorable with amendments

House action: Adopted

Read second time: March 16, 2008

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## CHAPTER \_\_\_\_\_

1 AN ACT concerning

2 **State Board of Professional Counselors and Therapists – Sunset Extension**  
3 **and Revisions**

4 FOR the purpose of continuing the State Board of Professional Counselors and  
5 Therapists in accordance with the provisions of the Maryland Program  
6 Evaluation Act (Sunset Law) by extending to a certain date the termination  
7 provisions relating to the statutory and regulatory authority of the Board;  
8 requiring that an evaluation of the Board and the statutes and regulations that  
9 relate to the Board be performed on or before a certain date; increasing the  
10 number of members on the State Board of Professional Counselors and  
11 Therapists; requiring a certain number of members to be professional  
12 counselors, marriage and family therapists, and alcohol and drug counselors;  
13 repealing a requirement that certain licensed professional counselor board  
14 members be employed in certain areas; repealing the position of drug and  
15 alcohol counselor advisor to the Board; requiring a marriage and family  
16 therapist or an alcohol and drug counselor board member to vote before certain  
17 action is taken against certain professional counselors; prohibiting certain  
18 individuals from practicing clinical alcohol and drug counseling, marriage and  
19 family therapy, or professional counseling unless they are licensed by the  
20 Board; providing for certain exemptions from licensing requirements;  
21 establishing certain qualifications for the licensure of clinical alcohol and drug  
22 counselors, clinical marriage and family therapists, and clinical professional  
23 counselors; establishing certain requirements for applications for licensure,  
24 certification, and examination of applicants; authorizing the Board to waive  
25 certain requirements for licensure or certification under certain circumstances;  
26 establishing procedures for the issuance of licenses and certificates; requiring

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**EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.**

[Brackets] indicate matter deleted from existing law.

Underlining indicates amendments to bill.

~~Strike-out~~ indicates matter stricken from the bill by amendment or deleted from the law by amendment.



1 licenses and certificates to include certain information; authorizing the Board to  
2 replace certain licenses or certificates under certain circumstances; providing  
3 for the scope of certain licenses and certificates; providing for the terms and  
4 renewal of certain licenses and certificates; requiring the Board to place certain  
5 licensees or certificate holders on inactive status under certain circumstances;  
6 prohibiting the Board from placing certain certificates on inactive status;  
7 authorizing the Board to reinstate certain licenses or certain certificates under  
8 certain circumstances; prohibiting the reinstatement of certain certificates;  
9 authorizing the Board to adopt certain regulations to allow certain individuals  
10 to practice under supervision as licensed graduate alcohol and drug counselors,  
11 marriage and family therapists, and professional counselors; establishing  
12 qualifications for licensed graduate alcohol and drug counselors, marriage and  
13 family therapists, and professional counselors; prohibiting the practice of  
14 licensed graduate professional counseling unless approved by the Board;  
15 requiring certain licensees and certificate holders to display a certain license or  
16 certificate in a certain manner; requiring certain licensees or certificate holders  
17 to furnish a certain professional disclosure statement that includes certain  
18 information; prohibiting the surrender of a certain license under certain  
19 circumstances and providing for a certain exception; authorizing the Board to  
20 deny, probate, reprimand, suspend, or revoke the license, certificate, or  
21 application of certain licensees, certificate holders, or applicants if an individual  
22 violates certain disciplinary grounds; establishing certain civil penalties under  
23 certain circumstances; requiring the Board to adopt certain regulations  
24 concerning the imposition of certain penalties; requiring the Board to pay  
25 certain money collected into the General Fund of the State; establishing certain  
26 hearing and appeal procedures; authorizing the Board to enjoin certain actions;  
27 authorizing the Board to reinstate a certain license or certificate, reduce a  
28 certain suspension or probation, or withdraw a reprimand under certain  
29 circumstances; establishing a counselor and therapist rehabilitation committee;  
30 establishing the purpose, function, and duties of the counselor and therapist  
31 rehabilitation committee; providing that certain committee records are not  
32 discoverable in certain proceedings; establishing civil immunity for members of  
33 the committee for actions taken within the scope of the committee's jurisdiction;  
34 requiring certain individuals to be certified before practicing alcohol and drug  
35 counseling, marriage and family therapy, and professional counseling, using  
36 certain titles, or representing certain certification; establishing qualifications  
37 for certification as a certified professional counselor–alcohol and drug, certified  
38 associate counselor–alcohol and drug, and certified supervised  
39 counselor–alcohol and drug; authorizing certain individuals to practice clinical  
40 alcohol and drug counseling, clinical marriage and family therapy, or clinical  
41 professional counseling without a license or to practice alcohol and drug  
42 counseling, marriage and family therapy, or professional counseling without a  
43 certificate for a certain amount of time under certain circumstances as a  
44 trainee; prohibiting certain unlicensed individuals from making certain  
45 representations to the public and using certain titles or words with the intent to  
46 represent that the individual practices clinical counseling or therapy or licensed  
47 graduate counseling or therapy; prohibiting certain uncertified individuals from  
48 making certain representations to the public and using certain titles or words

1 with the intent to represent that the individual practices certain counseling or  
2 therapy; establishing certain penalties; establishing a certain short title;  
3 requiring the Board to waive certain requirements for certification as alcohol  
4 and drug counselors for certain individuals who have certain qualifications;  
5 requiring certain individuals applying for certification as alcohol and drug  
6 counselors under a certain waiver to apply for certification by a certain date;  
7 ~~providing for the termination of the term of a member of the Board;~~ providing  
8 for the appointment of certain members of the Board to serve certain terms  
9 until certain successors are appointed; providing that the term of a certain  
10 Board advisor terminate on a certain date; requiring the Board to submit a  
11 certain interim report including certain information to certain committees of the  
12 General Assembly on or before a certain date; defining certain terms; making  
13 certain technical changes; providing for the termination of certain provisions of  
14 this Act; and generally relating to the State Board of Professional Counselors  
15 and Therapists and the licensing and certification of counselors and therapists.

16 BY repealing

17 Article – Health Occupations

18 Section 17–301 through 17–317 and the subtitle “Subtitle 3. Certification”;

19 17–3A–01 through 17–3A–13 and the subtitle “Subtitle 3A. Licensing”;

20 17–401 and 17–402 and the subtitle “Subtitle 4. Prohibited Acts;

21 Penalties”; and 17–501 and 17–502 and the subtitle “Subtitle 5. Short

22 Title; Termination of Title”

23 Annotated Code of Maryland

24 (2005 Replacement Volume and 2007 Supplement)

25 BY repealing and reenacting, with amendments,

26 Article – Health Occupations

27 Section 17–101, 17–102, 17–202, and 17–205

28 Annotated Code of Maryland

29 (2005 Replacement Volume and 2007 Supplement)

30 BY repealing and reenacting, without amendments,

31 Article – Health Occupations

32 Section 17–103, 17–201, 17–203, 17–204, and 17–206

33 Annotated Code of Maryland

34 (2005 Replacement Volume and 2007 Supplement)

35 BY repealing

36 Article – Health Occupations

37 Section 17–104

38 Annotated Code of Maryland

39 (2005 Replacement Volume and 2007 Supplement)

40 BY adding to

41 Article – Health Occupations

42 Section 17–301 through 17–309 to be under the new subtitle “Subtitle 3.

43 Licensing”; 17–401 through 17–405.1 and 17–406 to be under the new

1 subtitle "Subtitle 4. Certification"; 17-501 through 17-515 to be under  
2 the new subtitle "Subtitle 5. General Provisions; Disciplinary Actions";  
3 17-601 through 17-604 to be under the new subtitle "Subtitle 6.  
4 Prohibited Acts; Penalties"; and 17-701 and 17-702 to be under the new  
5 subtitle "Subtitle 7. Short Title; Termination of Title"

6 Annotated Code of Maryland  
7 (2005 Replacement Volume and 2007 Supplement)

8 BY repealing and reenacting, without amendments,  
9 Article – State Government  
10 Section 8-403(a)  
11 Annotated Code of Maryland  
12 (2004 Replacement Volume and 2007 Supplement)

13 BY repealing and reenacting, with amendments,  
14 Article – State Government  
15 Section 8-403(b)(16)  
16 Annotated Code of Maryland  
17 (2004 Replacement Volume and 2007 Supplement)

18 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF  
19 MARYLAND, That Section(s) 17-301 through 17-317 and the subtitle "Subtitle 3.  
20 Certification"; 17-3A-01 through 17-3A-13 and the subtitle "Subtitle 3A. Licensing";  
21 17-401 and 17-402 and the subtitle "Subtitle 4. Prohibited Acts; Penalties"; and  
22 17-501 and 17-502 and the subtitle "Subtitle 5. Short Title; Termination of Title" of  
23 Article – Health Occupations of the Annotated Code of Maryland be repealed.

24 SECTION 2. AND BE IT FURTHER ENACTED, That the Laws of Maryland  
25 read as follows:

26 **Article – Health Occupations**

27 17-101.

28 (a) In this title the following words have the meanings indicated.

29 (b) "Alcohol and drug counseling" means assisting an individual, family, or  
30 group through the client-counselor relationship:

31 (1) To develop understanding of intrapersonal and interpersonal  
32 substance abuse problems;

33 (2) To define goals relating to substance abuse;

34 (3) To make decisions relating to substance abuse;

35 (4) To plan a course of action reflecting the needs, interests, and  
36 abilities of the individual, family, or group relating to substance abuse; and

1           (5) To use informational and community substance abuse resources  
2 relating to personal, social, emotional, educational, and vocational development and  
3 adjustment.

4           (c) (1) “Appraisal” means:

5                   (i) Selecting, administering, scoring, and interpreting  
6 instruments designed to assess an individual’s aptitudes, attitudes, abilities,  
7 achievements, interests, and personal characteristics; and

8                   (ii) Using nonstandardized methods and techniques for  
9 understanding human behavior in relation to coping with, adapting to, or changing life  
10 situations.

11           (2) “Appraisal” does not include instruments which require specialized  
12 psychological training for administration and interpretation unless the licensed or  
13 certified professional counselor has completed training deemed by the Board of  
14 Examiners of Psychologists and the State Board of Professional Counselors and  
15 Therapists to be equivalent to that of a licensed psychologist who is qualified to  
16 administer the same types of instruments.

17           (d) “Board” means the State Board of Professional Counselors and  
18 Therapists.

19           (e) “Certificate” means a certificate issued by the Board to practice  
20 professional counseling.

21           (f) “Certified professional counselor” means a professional counselor who is  
22 certified by the Board.

23           (g) “Certified professional counselor–marriage and family therapist” means  
24 an individual who is certified by the Board to practice marriage and family therapy in  
25 the State.

26           (h) (1) “Certified supervised counselor–alcohol and drug” means an  
27 individual who is certified by the Board to practice alcohol and drug counseling in the  
28 State pursuant to the limitations in [§ 17–302.4] § **17–404** of this title.

29                   (2) “Certified associate counselor–alcohol and drug” means an  
30 individual who is certified by the Board to practice alcohol and drug counseling in the  
31 State pursuant to the limitations in [§ 17–302.5] § **17–403** of this title.

32                   (3) “Certified professional counselor–alcohol and drug” means an  
33 individual who is certified by the Board to practice alcohol and drug counseling in the  
34 State.

1 (i) "Counseling" means assisting an individual, family, or group through the  
2 client-counselor relationship:

3 (1) To develop understanding of intrapersonal and interpersonal  
4 problems;

5 (2) To define goals;

6 (3) To make decisions;

7 (4) To plan a course of action reflecting the needs, interests, and  
8 abilities of the individual, family, or group; and

9 (5) To use informational and community resources, as these  
10 procedures are related to personal, social, emotional, educational, and vocational  
11 development and adjustment.

12 (j) "Fund" means the State Board of Professional Counselors and Therapists  
13 Fund.

14 (K) **"LICENSE" MEANS, UNLESS THE CONTEXT REQUIRES OTHERWISE,**  
15 **ONE OF SIX TYPES OF LICENSES ISSUED BY THE BOARD AUTHORIZING AN**  
16 **INDIVIDUAL TO PRACTICE:**

17 (1) **CLINICAL ALCOHOL AND DRUG COUNSELING;**

18 (2) **CLINICAL MARRIAGE AND FAMILY THERAPY;**

19 (3) **CLINICAL PROFESSIONAL COUNSELING;**

20 (4) **GRADUATE ALCOHOL AND DRUG COUNSELING;**

21 (5) **GRADUATE MARRIAGE AND FAMILY THERAPY; OR**

22 (6) **GRADUATE PROFESSIONAL COUNSELING.**

23 (L) **"LICENSED GRADUATE ALCOHOL AND DRUG COUNSELOR" MEANS**  
24 **AN INDIVIDUAL APPROVED BY THE BOARD TO PRACTICE GRADUATE ALCOHOL**  
25 **AND DRUG COUNSELING.**

26 (M) **"LICENSED GRADUATE MARRIAGE AND FAMILY THERAPIST" MEANS**  
27 **AN INDIVIDUAL APPROVED BY THE BOARD TO PRACTICE GRADUATE MARRIAGE**  
28 **AND FAMILY THERAPY.**

1           (N) **“LICENSED GRADUATE PROFESSIONAL COUNSELOR” MEANS AN**  
2 **INDIVIDUAL APPROVED BY THE BOARD TO PRACTICE GRADUATE**  
3 **PROFESSIONAL COUNSELING.**

4           [(k)] (O) **“Marriage and family therapy” means applying marriage and**  
5 **family systems theory, principles, methods, therapeutic techniques, and research in:**

6                   (1) **Resolving emotional conflict and modifying perception and**  
7 **behavior in the context of marriage and family life; and**

8                   (2) **The identification and assessment of client needs and the**  
9 **implementation of therapeutic intervention.**

10           [(l)] (P) **“Practice alcohol and drug counseling” means to engage**  
11 **professionally and for compensation in alcohol and drug counseling activities while**  
12 **representing oneself to be a certified professional counselor–alcohol and drug, a**  
13 **certified supervised counselor–alcohol and drug, or a certified associate**  
14 **counselor–alcohol and drug.**

15           (Q) **“PRACTICE CLINICAL ALCOHOL AND DRUG COUNSELING” MEANS TO**  
16 **ENGAGE PROFESSIONALLY AND FOR COMPENSATION IN ALCOHOL AND DRUG**  
17 **COUNSELING AND APPRAISAL ACTIVITIES BY PROVIDING SERVICES INVOLVING**  
18 **THE APPLICATION OF COUNSELING PRINCIPLES AND METHODS IN THE**  
19 **DIAGNOSIS, PREVENTION, TREATMENT, AND AMELIORATION OF**  
20 **PSYCHOLOGICAL PROBLEMS AND EMOTIONAL OR MENTAL CONDITIONS OF**  
21 **INDIVIDUALS OR GROUPS.**

22           (R) **“PRACTICE CLINICAL MARRIAGE AND FAMILY THERAPY” MEANS TO**  
23 **ENGAGE PROFESSIONALLY AND FOR COMPENSATION IN MARRIAGE AND FAMILY**  
24 **THERAPY AND APPRAISAL ACTIVITIES BY PROVIDING SERVICES INVOLVING THE**  
25 **APPLICATION OF THERAPY PRINCIPLES AND METHODS IN THE DIAGNOSIS,**  
26 **PREVENTION, TREATMENT, AND AMELIORATION OF PSYCHOLOGICAL PROBLEMS**  
27 **AND EMOTIONAL OR MENTAL CONDITIONS OF INDIVIDUALS OR GROUPS.**

28           (S) **“PRACTICE CLINICAL PROFESSIONAL COUNSELING” MEANS TO**  
29 **ENGAGE PROFESSIONALLY AND FOR COMPENSATION IN COUNSELING AND**  
30 **APPRAISAL ACTIVITIES BY PROVIDING SERVICES INVOLVING THE APPLICATION**  
31 **OF COUNSELING PRINCIPLES AND METHODS IN THE DIAGNOSIS, PREVENTION,**  
32 **TREATMENT, AND AMELIORATION OF PSYCHOLOGICAL PROBLEMS AND**  
33 **EMOTIONAL OR MENTAL CONDITIONS OF INDIVIDUALS OR GROUPS.**

34           (T) **“PRACTICE GRADUATE ALCOHOL AND DRUG COUNSELING” MEANS**  
35 **TO PRACTICE CLINICAL ALCOHOL AND DRUG COUNSELING:**

1           (1) UNDER THE SUPERVISION OF A LICENSED CLINICAL ALCOHOL  
2 AND DRUG COUNSELOR OR ANOTHER HEALTH CARE PROVIDER LICENSED  
3 UNDER THIS ARTICLE, AS APPROVED BY THE BOARD; AND

4           (2) WHILE FULFILLING THE REQUIREMENTS FOR SUPERVISED  
5 EXPERIENCE UNDER § 17-302 OF THIS SUBTITLE.

6           (U) “PRACTICE GRADUATE MARRIAGE AND FAMILY THERAPY” MEANS  
7 TO PRACTICE CLINICAL MARRIAGE AND FAMILY THERAPY:

8           (1) UNDER THE SUPERVISION OF A LICENSED CLINICAL  
9 MARRIAGE AND FAMILY THERAPIST OR ANOTHER HEALTH CARE PROVIDER  
10 LICENSED UNDER THIS ARTICLE, AS APPROVED BY THE BOARD; AND

11           (2) WHILE FULFILLING THE REQUIREMENTS FOR SUPERVISED  
12 EXPERIENCE UNDER § 17-303 OF THIS SUBTITLE.

13           (V) “PRACTICE GRADUATE PROFESSIONAL COUNSELING” MEANS TO  
14 PRACTICE CLINICAL PROFESSIONAL COUNSELING:

15           (1) UNDER THE SUPERVISION OF A LICENSED CLINICAL  
16 PROFESSIONAL COUNSELOR OR ANOTHER HEALTH CARE PROVIDER LICENSED  
17 UNDER THIS ARTICLE, AS APPROVED BY THE BOARD; AND

18           (2) WHILE FULFILLING THE REQUIREMENTS FOR SUPERVISED  
19 EXPERIENCE UNDER § 17-304 OF THIS SUBTITLE.

20           [(m)] (W) “Practice marriage and family therapy” means to engage  
21 professionally and for compensation in marriage and family therapy activities while  
22 representing oneself to be a certified professional counselor–marriage and family  
23 therapist.

24           [(n)] (X) “Practice professional counseling” means to engage professionally  
25 and for compensation in counseling and appraisal activities while representing oneself  
26 to be a CERTIFIED professional counselor.

27 17-102.

28           (a) The General Assembly finds that the profession of counseling AND  
29 THERAPY profoundly affects the lives and health of the people of this State.

30           (b) The purpose of this title is to protect the public by:

31           (1) Setting qualifications, education, training, and experience  
32 standards for [professional] counselors AND THERAPISTS; and



1           (2) Promoting high professional standards for the practice of  
2 counseling **AND THERAPY**.

3 17-103.

4           This title does not limit the right of an individual to practice a health occupation  
5 that the individual is authorized to practice under this article.

6 [17-104.

7           (a) A certificate to practice professional counseling authorizes the certificate  
8 holder to practice professional counseling while the certificate is effective.

9           (b) A certificate to practice marriage and family therapy authorizes the  
10 certificate holder to practice marriage and family therapy while the certificate is  
11 effective.]

12 17-201.

13           There is a State Board of Professional Counselors and Therapists.

14 17-202.

15           (a) (1) The Board consists of [nine] ~~11~~ **13** members appointed by the  
16 Governor with the advice of the Secretary.

17           (2) Of the [nine] ~~11~~ **13** Board members:

18                   (i) ~~[Five]~~ ~~FOUR~~ shall be licensed as **CLINICAL** professional  
19 counselors under [Subtitle 3A] **SUBTITLE 3** of this title[, including:

20                           1. One who is primarily engaged in professional  
21 counselor education;

22                           2. One who is employed in the private sector;

23                           3. One who is employed in the public sector; and

24                           4. Two professional counselors at large];

25                   (ii) [One] ~~TWO~~ **THREE** shall be [a] licensed **AS** clinical  
26 marriage and family [therapist] **THERAPISTS**;

1 (iii) [One] **THREE** shall be [a] ~~certified AS professional~~  
2 ~~[counselor alcohol] COUNSELORS ALCOHOL and drug or licensed AS clinical alcohol~~  
3 and drug [counselor] **COUNSELORS**; and

4 (iv) Two shall be consumer members.

5 (3) The composition of the Board as to the race and sex of its members  
6 shall reflect the composition of the population of the State.

7 (4) The Governor shall appoint the [professional] counselors **AND**  
8 **THERAPISTS** from a list submitted to the Governor by the Secretary. Any association  
9 representing professional counselors, **MARRIAGE AND FAMILY THERAPISTS, OR**  
10 **ALCOHOL AND DRUG COUNSELORS** may submit recommendations for Board  
11 members to the Secretary.

12 (b) The consumer members of the Board:

13 (1) Shall be members of the general public;

14 (2) May not be or ever have been [a] certified or licensed  
15 [professional] **AS A counselor OR THERAPIST** or in training to become [a] certified or  
16 licensed [professional] **AS A counselor OR THERAPIST**;

17 (3) May not have a household member who is [a] certified or licensed  
18 [professional] **AS A counselor OR THERAPIST** or in training to become [a] certified or  
19 licensed [professional] **AS A counselor OR THERAPIST**;

20 (4) May not participate or ever have participated in a commercial or  
21 professional field related to professional counseling, **MARRIAGE AND FAMILY**  
22 **THERAPY, OR ALCOHOL AND DRUG COUNSELING**;

23 (5) May not have a household member who participates in a  
24 commercial or professional field related to professional counseling, **MARRIAGE AND**  
25 **FAMILY THERAPY, OR ALCOHOL AND DRUG COUNSELING**;

26 (6) May not have had within 2 years before appointment a substantial  
27 financial interest in a person regulated by the Board; and

28 (7) While members of the Board, may not have a substantial financial  
29 interest in a person regulated by the Board.

30 (c) The licensed clinical marriage and family therapy [member] **MEMBERS**  
31 of the Board shall:

32 (1) [Have] **HOLD** a master's or doctoral degree in a marriage and  
33 family therapy field; and

1                   (2) Meet the educational and supervised experience requirements of [§  
2 17-302] § ~~17-303~~ of this title.

3                   (d) The ~~certified professional [counselor alcohol]~~ ~~COUNSELORS ALCOHOL~~  
4 ~~and drug or~~ licensed clinical alcohol and drug counselor [member] ~~MEMBERS~~ of the  
5 Board shall:

6                   (1) [Have] **HOLD** a master's or doctoral degree in a health and human  
7 services counseling field; and

8                   (2) Meet the educational and supervised experience requirements of [§  
9 17-302.3] § ~~17-302, § 17-402, OR § 17-403~~ of this title.

10                  (e) [A certified associate counselor-alcohol and drug or a certified supervised  
11 counselor-alcohol and drug shall be appointed by the Governor to serve as an advisor  
12 to the Board.

13                  (f) Before taking office, each appointee to the Board shall take the oath  
14 required by Article I, § 9 of the State Constitution.

15                  [(g)] **(F)** (1) The term of a member is 4 years.

16                               (2) The terms of the members of the Board are staggered as required  
17 by the terms of the members of the Board serving on July 1, 1988.

18                               (3) At the end of a term, a member continues to serve until a successor  
19 is appointed and qualifies.

20                               (4) A member may not serve more than 2 consecutive full terms.

21                               (5) To the extent practicable, the Governor shall fill any vacancy on  
22 the Board within 60 days of the date of the vacancy.

23                  [(h)] **(G)** (1) The Governor may remove a member for incompetency,  
24 misconduct, or neglect of duty.

25                               (2) Upon the recommendation of the Secretary, the Governor may  
26 remove a member whom the Secretary finds to have been absent from 2 successive  
27 Board meetings without adequate reason.

28 17-203.

29                  (a) From among its members, the Board annually shall elect:

30                               (1) A chairperson;

1 (2) A vice chairperson; and

2 (3) A secretary.

3 (b) The Board shall determine:

4 (1) The manner of election of officers;

5 (2) The term of office of each officer; and

6 (3) The duties of each officer.

7 17-204.

8 (a) A majority of the full authorized membership of the Board is a quorum.

9 (b) The Board shall meet at least once a year, at the times and places that it  
10 determines.

11 (c) Each member of the Board is entitled to reimbursement for expenses at a  
12 rate determined by the Board.

13 (d) The Board may employ a staff in accordance with the budget of the  
14 Board.

15 17-205.

16 (a) In addition to the powers set forth elsewhere in this title, the Board may  
17 adopt rules and regulations to carry out the provisions of this title.

18 (b) In addition to the duties set forth elsewhere in this title, the Board shall:

19 (1) Maintain a registry of all counselors or therapists currently  
20 licensed or certified by the Board;

21 (2) Submit an annual report to the Governor and the Secretary;

22 (3) Adopt a code of ethics that the Board considers to be appropriate  
23 and applicable to the counselors or therapists currently certified or licensed by the  
24 Board;

25 (4) Establish continuing education requirements for the counselors or  
26 therapists currently certified or licensed by the Board;

27 (5) Adopt an official seal; and

28 (6) Create committees as it deems appropriate to advise the Board on  
29 special issues.

1 (c) (1) The Board may take action against a [certified professional  
2 counselor–marriage and family therapist or a licensed clinical] marriage and family  
3 therapist only if:

4 (i) Before taking action against the [certified professional  
5 counselor–marriage and family therapist or the licensed clinical] marriage and family  
6 therapist, the Board discusses the proposed action with [the] A Board member who is  
7 a licensed clinical marriage and family therapist; and

8 (ii) [The] A Board member who is a licensed clinical marriage  
9 and family therapist votes, either in the affirmative or in the negative, on the proposed  
10 action.

11 (2) The Board may take action against an alcohol and drug counselor  
12 only if:

13 (i) Before taking action against the alcohol and drug counselor,  
14 the Board discusses the proposed action with [the] A Board member who is a ~~certified~~  
15 ~~professional counselor alcohol and drug~~ or licensed clinical alcohol and drug  
16 counselor; and

17 (ii) [The] A Board member who is a ~~certified professional~~  
18 ~~counselor alcohol and drug~~ or licensed clinical alcohol and drug counselor votes, either  
19 in the affirmative or in the negative, on the proposed action.

20 (3) The Board shall investigate all complaints filed against licensed  
21 [professional] counselors **AND THERAPISTS** if, at the time of the violation, the  
22 licensed [professional] counselor **OR THERAPIST** has also registered and qualified for  
23 psychology associate status by virtue of holding a master's degree under Title 18  
24 (Maryland Psychologists Act) of this article.

25 (4) The Board shall notify the Board of Examiners of Psychologists of  
26 the complaint in writing within 60 days of receipt of the complaint if an investigation  
27 of the supervising licensed psychologists is warranted.

28 (5) The Board shall initiate disciplinary action against any licensed  
29 [professional] counselor **OR THERAPIST** who also registers as a psychology associate  
30 and violates any portion of this statute.

31 (d) The Board shall establish or select examinations that the Board considers  
32 appropriate to determine the ability of an applicant to be licensed or certified by the  
33 Board.

34 17–206.

35 (a) There is a State Board of Professional Counselors and Therapists Fund.

1 (b) (1) The Board may set reasonable fees for the issuance and renewal of  
2 licenses or certificates and its other services.

3 (2) The fees charged shall be set to produce funds so as to approximate  
4 the cost of maintaining the Board.

5 (3) Funds to cover the expenses of the Board members shall be  
6 generated by fees set under this section.

7 (c) (1) The Board shall pay all fees collected under this title to the  
8 Comptroller of the State.

9 (2) The Comptroller shall distribute the fees to the Fund.

10 (d) (1) The Fund shall be used to cover the actual documented direct and  
11 indirect costs of fulfilling the statutory and regulatory duties of the Board as provided  
12 by the provisions of this article.

13 (2) The Fund is a continuing, nonlapsing fund, not subject to § 7-302  
14 of the State Finance and Procurement Article.

15 (3) Any unspent portions of the Fund may not be transferred or revert  
16 to the General Fund of the State, but shall remain in the Fund to be used for the  
17 purposes specified in this article.

18 (4) No other State money may be used to support the Fund.

19 (e) (1) A designee of the Board shall administer the Fund.

20 (2) Moneys in the Fund may be expended only for any lawful purpose  
21 authorized under the provisions of this article.

22 (f) The Legislative Auditor shall audit the accounts and transactions of the  
23 Fund as provided in § 2-1220 of the State Government Article.

24 **SUBTITLE 3. LICENSING.**

25 **17-301.**

26 (A) **EXCEPT AS OTHERWISE PROVIDED IN SUBSECTION (B) OF THIS**  
27 **SECTION, AN INDIVIDUAL MAY NOT PRACTICE, ATTEMPT TO PRACTICE, OR**  
28 **OFFER TO PRACTICE CLINICAL ALCOHOL AND DRUG COUNSELING, CLINICAL**  
29 **MARRIAGE AND FAMILY THERAPY, OR CLINICAL PROFESSIONAL COUNSELING IN**  
30 **THE STATE UNLESS LICENSED BY THE BOARD.**

1           **(B) SUBJECT TO THE REGULATIONS OF THE BOARD, SUBSECTION (A)**  
2 **OF THIS SECTION DOES NOT APPLY TO:**

3           **(1) A STUDENT WORKING UNDER THE SUPERVISION OF A**  
4 **LICENSED MENTAL HEALTH CARE PROVIDER WHILE PURSUING A SUPERVISED**  
5 **COURSE OF STUDY IN COUNSELING THAT THE BOARD APPROVES AS**  
6 **QUALIFYING TRAINING AND EXPERIENCE UNDER THIS TITLE; OR**

7           **(2) AN INDIVIDUAL WHO, IN ACCORDANCE WITH § 17-406 OF THIS**  
8 **TITLE, IS WORKING AS A TRAINEE UNDER THE SUPERVISION OF A LICENSED**  
9 **CLINICAL ALCOHOL AND DRUG COUNSELOR OR ANOTHER HEALTH CARE**  
10 **PROVIDER LICENSED OR CERTIFIED UNDER THIS ARTICLE AND APPROVED BY**  
11 **THE BOARD WHILE FULFILLING THE EXPERIENTIAL OR COURSE OF STUDY**  
12 **REQUIREMENTS UNDER § 17-302 OF THIS SUBTITLE OR § 17-402, § 17-403, OR §**  
13 **17-404 OF THIS TITLE.**

14           **(C) THIS SUBTITLE MAY NOT BE CONSTRUED TO LIMIT THE SCOPE OF**  
15 **PRACTICE OF ANY INDIVIDUAL WHO IS DULY LICENSED UNDER THIS ARTICLE.**  
16 **17-302.**

17           **(A) TO QUALIFY FOR A LICENSE TO PRACTICE CLINICAL ALCOHOL AND**  
18 **DRUG COUNSELING, AN APPLICANT SHALL BE AN INDIVIDUAL WHO MEETS THE**  
19 **REQUIREMENTS OF THIS SECTION.**

20           **(B) THE APPLICANT SHALL BE OF GOOD MORAL CHARACTER.**

21           **(C) THE APPLICANT SHALL BE AT LEAST 18 YEARS OLD.**

22           **(D) (1) EXCEPT AS PROVIDED IN § 17-305 OF THIS SUBTITLE, THE**  
23 **APPLICANT SHALL:**

24                   **(I) HOLD A MASTER'S OR DOCTORAL DEGREE IN A HEALTH**  
25 **AND HUMAN SERVICES COUNSELING FIELD FROM AN ACCREDITED**  
26 **EDUCATIONAL INSTITUTION THAT IS APPROVED BY THE BOARD; OR**

27                   **(II) HAVE COMPLETED A PROGRAM OF STUDIES JUDGED BY**  
28 **THE BOARD TO BE SUBSTANTIALLY EQUIVALENT IN SUBJECT MATTER AND**  
29 **EXTENT OF TRAINING AS REQUIRED UNDER THIS SECTION.**

30                   **(2) (I) IN THE CASE OF AN APPLICANT HOLDING A DOCTORAL**  
31 **DEGREE, THE APPLICANT SHALL HAVE COMPLETED A MINIMUM OF 90**  
32 **GRADUATE CREDIT HOURS APPROVED BY THE BOARD.**

1                   (II) IN THE CASE OF AN APPLICANT HOLDING ONLY A  
2 MASTER'S DEGREE, THE APPLICANT SHALL HAVE COMPLETED A MINIMUM OF 60  
3 GRADUATE CREDIT HOURS APPROVED BY THE BOARD.

4                   (3) THE APPLICANT SHALL HAVE COMPLETED A MINIMUM OF 26  
5 CREDIT HOURS IN ALCOHOL AND DRUG COUNSELOR TRAINING, INCLUDING:

6                   (I) MEDICAL ASPECTS OF CHEMICAL DEPENDENCY;

7                   (II) GROUP COUNSELING;

8                   (III) INDIVIDUAL COUNSELING;

9                   (IV) FAMILY COUNSELING;

10                  (V) ASSESSMENT AND TREATMENT PLANNING;

11                  (VI) ETHICS FOR ALCOHOL AND DRUG COUNSELORS;

12                  (VII) HUMAN DEVELOPMENT;

13                  (VIII) ABNORMAL PSYCHOLOGY; AND

14                  (IX) COURSES PERTAINING TO COUNSELOR CORE  
15 FUNCTIONS OF SCREENING, INTAKE, ORIENTATION, CASE MANAGEMENT, CRISIS  
16 INTERVENTION, EDUCATION AND PREVENTION, REFERRAL, CONSULTATION,  
17 REPORTS AND RECORD KEEPING, AND SPECIAL ALCOHOL AND DRUG  
18 DEPENDENCY TOPICS.

19                  (E) THE APPLICANT SHALL HAVE COMPLETED NOT LESS THAN 3 YEARS  
20 WITH A MINIMUM OF 2,000 HOURS OF SUPERVISED EXPERIENCE IN ALCOHOL  
21 AND DRUG COUNSELING APPROVED BY THE BOARD, 2 YEARS OF WHICH SHALL  
22 HAVE BEEN COMPLETED AFTER THE AWARD OF THE MASTER'S OR DOCTORAL  
23 DEGREE OR ITS SUBSTANTIAL EQUIVALENT.

24                  (F) THE APPLICANT SHALL PROVIDE DOCUMENTATION TO THE BOARD  
25 EVIDENCING THE COMPLETION OF 60 HOURS OF GRADUATE COURSE WORK,  
26 COMPLETED AT AN ACCREDITED COLLEGE OR UNIVERSITY APPROVED BY THE  
27 BOARD THAT INCLUDED TRAINING IN:

28                  (1) PERSONALITY DEVELOPMENT;

29                  (2) DIAGNOSIS AND TREATMENT OF MENTAL AND EMOTIONAL  
30 DISORDERS;



1           (3)   **PSYCHOPATHOLOGY; AND**

2           (4)   **PSYCHOTHERAPY IN ALCOHOL AND DRUG DISORDERS.**

3           (G)   **THE APPLICANT SHALL PROVIDE DOCUMENTATION EVIDENCING**  
4 **THE COMPLETION OF 2 YEARS OF POSTGRADUATE SUPERVISED CLINICAL**  
5 **EXPERIENCE AS REQUIRED BY THE BOARD.**

6           (H)   **EXCEPT AS OTHERWISE PROVIDED IN THIS TITLE, THE APPLICANT**  
7 **SHALL PASS AN EXAMINATION APPROVED BY THE BOARD.**

8   **17-303.**

9           (A)   **TO QUALIFY FOR A LICENSE TO PRACTICE CLINICAL MARRIAGE AND**  
10 **FAMILY THERAPY, AN APPLICANT SHALL BE AN INDIVIDUAL WHO MEETS THE**  
11 **REQUIREMENTS OF THIS SECTION.**

12          (B)   **THE APPLICANT SHALL BE OF GOOD MORAL CHARACTER.**

13          (C)   **THE APPLICANT SHALL BE AT LEAST 18 YEARS OLD.**

14          (D)   (1)   **EXCEPT AS PROVIDED IN § 17-306 OF THIS SUBTITLE, THE**  
15 **APPLICANT SHALL HOLD A MASTER’S OR DOCTORAL DEGREE IN A MARRIAGE**  
16 **AND FAMILY FIELD OR HAVE COMPLETED A PROGRAM OF STUDIES JUDGED BY**  
17 **THE BOARD TO BE SUBSTANTIALLY EQUIVALENT IN SUBJECT MATTER AND**  
18 **EXTENT OF TRAINING AS REQUIRED UNDER THIS SECTION.**

19               (2)   **IN THE CASE OF AN APPLICANT HOLDING A DOCTORAL**  
20 **DEGREE, THE APPLICANT SHALL HAVE COMPLETED A MINIMUM OF 90**  
21 **GRADUATE CREDIT HOURS IN TRAINING IN MARRIAGE AND FAMILY THERAPY**  
22 **APPROVED BY THE BOARD THAT INCLUDES INSTRUCTION IN THE FOLLOWING**  
23 **SPECIALIZED AREAS:**

24                       (I)   **ANALYSIS OF FAMILY SYSTEMS;**

25                       (II)   **FAMILY THERAPY, THEORY, AND TECHNIQUES;**

26                       (III)   **COUPLES THERAPY, THEORY, AND TECHNIQUES;**

27                       (IV)   **GENDER AND ETHNICITY IN MARRIAGE AND FAMILY**  
28 **THERAPY; AND**

29                       (V)   **SEXUAL ISSUES IN MARRIAGE AND FAMILY THERAPY.**

1           **(3) IN THE CASE OF AN APPLICANT HOLDING ONLY A MASTER'S**  
2 **DEGREE, THE APPLICANT SHALL HAVE COMPLETED A MINIMUM OF 60**  
3 **GRADUATE CREDIT HOURS IN TRAINING IN MARRIAGE AND FAMILY THERAPY**  
4 **APPROVED BY THE BOARD THAT INCLUDES INSTRUCTION IN THE SPECIALIZED**  
5 **AREAS SET FORTH IN PARAGRAPH (2) OF THIS SUBSECTION.**

6           **(E) THE APPLICANT SHALL HAVE COMPLETED NOT LESS THAN 2 YEARS**  
7 **WITH A MINIMUM OF 2,000 HOURS OF SUPERVISED EXPERIENCE IN MARRIAGE**  
8 **AND FAMILY THERAPY APPROVED BY THE BOARD, 2 YEARS OF WHICH SHALL**  
9 **HAVE BEEN COMPLETED AFTER THE AWARD OF THE MASTER'S OR DOCTORAL**  
10 **DEGREE OR ITS SUBSTANTIAL EQUIVALENT.**

11           **(F) THE APPLICANT SHALL PROVIDE DOCUMENTATION TO THE BOARD**  
12 **EVIDENCING THE COMPLETION OF 60 HOURS OF GRADUATE COURSE WORK**  
13 **COMPLETED AT AN ACCREDITED COLLEGE OR UNIVERSITY APPROVED BY THE**  
14 **BOARD, THAT INCLUDED TRAINING IN:**

15                   **(1) PERSONALITY DEVELOPMENT;**

16                   **(2) DIAGNOSIS AND TREATMENT OF MENTAL AND EMOTIONAL**  
17 **DISORDERS;**

18                   **(3) PSYCHOPATHOLOGY;**

19                   **(4) FAMILY THERAPY; AND**

20                   **(5) PSYCHOTHERAPY.**

21           **(G) THE APPLICANT SHALL PROVIDE DOCUMENTATION EVIDENCING**  
22 **THE COMPLETION OF 2 YEARS OF POSTGRADUATE SUPERVISED CLINICAL**  
23 **EXPERIENCE AS REQUIRED BY THE BOARD.**

24           **(H) EXCEPT AS OTHERWISE PROVIDED IN THIS TITLE, THE APPLICANT**  
25 **SHALL PASS AN EXAMINATION APPROVED BY THE BOARD.**

26 **17-304.**

27           **(A) EXCEPT AS PROVIDED IN § 17-307 OF THIS SUBTITLE, TO QUALIFY**  
28 **FOR A LICENSE TO PRACTICE CLINICAL PROFESSIONAL COUNSELING, AN**  
29 **APPLICANT SHALL BE AN INDIVIDUAL WHO MEETS THE REQUIREMENTS OF THIS**  
30 **SECTION.**

31           **(B) THE APPLICANT SHALL BE OF GOOD MORAL CHARACTER.**

32           **(C) THE APPLICANT SHALL BE AT LEAST 18 YEARS OLD.**

1           **(D) (1) THE APPLICANT SHALL HOLD A MASTER'S OR DOCTORAL**  
2 **DEGREE IN A PROFESSIONAL COUNSELING FIELD FROM AN ACCREDITED**  
3 **EDUCATIONAL INSTITUTION THAT IS APPROVED BY THE BOARD.**

4           **(2) IN THE CASE OF AN APPLICANT HOLDING A DOCTORAL**  
5 **DEGREE, THE APPLICANT SHALL HAVE COMPLETED:**

6                   **(I) A MINIMUM OF 90 GRADUATE CREDIT HOURS IN**  
7 **COUNSELOR TRAINING APPROVED BY THE BOARD, INCLUDING INSTRUCTION IN:**

- 8                           **1. COUNSELING THEORY AND ETHICS;**
- 9                           **2. COUNSELING TECHNIQUES;**
- 10                           **3. HUMAN GROWTH AND DEVELOPMENT AND**  
11 **MALADAPTIVE BEHAVIORS;**
- 12                           **4. GROUP DYNAMICS, PROCESSING, AND**  
13 **COUNSELING;**
- 14                           **5. SOCIAL AND CULTURAL FOUNDATIONS;**
- 15                           **6. LIFESTYLE AND CAREER DEVELOPMENT;**
- 16                           **7. APPRAISAL OF INDIVIDUALS;**
- 17                           **8. RESEARCH AND EVALUATION;**
- 18                           **9. PARTICIPATION IN A SUPERVISED PRACTICUM IN**  
19 **PROFESSIONAL COUNSELING;**
- 20                           **10. MARRIAGE AND FAMILY THERAPY; AND**
- 21                           **11. ALCOHOL AND DRUG COUNSELING; AND**

22                           **(II) NOT LESS THAN 2 YEARS OF SUPERVISED EXPERIENCE**  
23 **IN COUNSELING APPROVED BY THE BOARD, 1 YEAR OF WHICH SHALL HAVE**  
24 **BEEN COMPLETED AFTER THE AWARD OF THE DOCTORAL DEGREE.**

25           **(3) IN THE CASE OF AN APPLICANT HOLDING ONLY A MASTER'S**  
26 **DEGREE, THE APPLICANT SHALL HAVE COMPLETED:**

1                   (I) A MINIMUM OF 60 GRADUATE CREDIT HOURS IN  
2 COUNSELOR TRAINING IN THE AREAS SET FORTH IN PARAGRAPH (2) OF THIS  
3 SUBSECTION; AND

4                   (II) NOT LESS THAN 3 YEARS, WITH A MINIMUM OF 3,000  
5 HOURS, OF SUPERVISED EXPERIENCE IN COUNSELING APPROVED BY THE  
6 BOARD, 2 YEARS OF WHICH SHALL HAVE BEEN COMPLETED AFTER THE AWARD  
7 OF THE MASTER'S DEGREE.

8           (E) THE APPLICANT SHALL PROVIDE DOCUMENTATION TO THE BOARD  
9 EVIDENCING THE COMPLETION OF 60 HOURS OF GRADUATE COURSE WORK IN  
10 THE APPLICANT'S RESPECTIVE AREA OF PRACTICE FROM AN ACCREDITED  
11 COLLEGE OR UNIVERSITY PROGRAM APPROVED BY THE BOARD, INCLUDING  
12 TRAINING IN:

13                   (1) PERSONALITY DEVELOPMENT;

14                   (2) DIAGNOSIS AND TREATMENT OF MENTAL AND EMOTIONAL  
15 DISORDERS;

16                   (3) PSYCHOPATHOLOGY; AND

17                   (4) PSYCHOTHERAPY.

18           (F) THE APPLICANT SHALL PROVIDE DOCUMENTATION EVIDENCING  
19 THE COMPLETION OF 2 YEARS OF POSTGRADUATE SUPERVISED EXPERIENCE AS  
20 REQUIRED BY THE BOARD.

21           (G) EXCEPT AS OTHERWISE PROVIDED IN THIS TITLE, THE APPLICANT  
22 SHALL PASS AN EXAMINATION APPROVED BY THE BOARD.

23 **17-305.**

24           (A) THE BOARD SHALL WAIVE THE REQUIREMENTS FOR LICENSURE  
25 FOR AN APPLICANT TO PRACTICE CLINICAL ALCOHOL AND DRUG COUNSELING  
26 IF THE APPLICANT:

27                   (1) IS LICENSED OR CERTIFIED AS A CLINICAL ALCOHOL AND  
28 DRUG COUNSELOR IN ANOTHER STATE, TERRITORY, OR JURISDICTION THAT  
29 HAS REQUIREMENTS THAT ARE EQUIVALENT TO OR EXCEED THE  
30 REQUIREMENTS OF § 17-302 OF THIS SUBTITLE;

31                   (2) SUBMITS AN APPLICATION TO THE BOARD ON A FORM THAT  
32 THE BOARD REQUIRES; AND

1                   (3) PAYS TO THE BOARD AN APPLICATION FEE SET BY THE  
2 BOARD.

3                   (B) THE BOARD SHALL ADOPT REGULATIONS TO IMPLEMENT THIS  
4 SECTION.

5 17-306.

6                   (A) THE BOARD SHALL WAIVE THE REQUIREMENTS FOR LICENSURE  
7 FOR AN APPLICANT TO PRACTICE CLINICAL MARRIAGE AND FAMILY THERAPY IF  
8 THE APPLICANT:

9                   (1) IS LICENSED OR CERTIFIED AS A CLINICAL MARRIAGE AND  
10 FAMILY THERAPIST IN ANOTHER STATE, TERRITORY, OR JURISDICTION THAT  
11 HAS REQUIREMENTS THAT ARE EQUIVALENT TO OR EXCEED THE  
12 REQUIREMENTS OF § 17-303 OF THIS SUBTITLE;

13                   (2) SUBMITS AN APPLICATION ON THE FORM THAT THE BOARD  
14 REQUIRES; AND

15                   (3) PAYS TO THE BOARD THE APPLICATION FEE SET BY THE  
16 BOARD.

17                   (B) THE BOARD SHALL ADOPT REGULATIONS TO IMPLEMENT THIS  
18 SECTION.

19 17-307.

20                   (A) THE BOARD SHALL WAIVE THE REQUIREMENTS FOR LICENSURE  
21 FOR AN APPLICANT TO PRACTICE CLINICAL PROFESSIONAL COUNSELING IF THE  
22 APPLICANT:

23                   (1) IS LICENSED OR CERTIFIED AS A CLINICAL PROFESSIONAL  
24 COUNSELOR IN ANOTHER STATE, TERRITORY, OR JURISDICTION THAT HAS  
25 REQUIREMENTS THAT ARE EQUIVALENT TO OR EXCEED THE REQUIREMENTS OF  
26 § 17-304 OF THIS SUBTITLE;

27                   (2) SUBMITS AN APPLICATION TO THE BOARD ON A FORM THAT  
28 THE BOARD REQUIRES; AND

29                   (3) PAYS TO THE BOARD AN APPLICATION FEE SET BY THE  
30 BOARD.

31                   (B) THE BOARD SHALL ADOPT REGULATIONS TO IMPLEMENT THIS  
32 SECTION.

1 **17-308.**

2 (A) A LICENSE AUTHORIZES THE LICENSEE TO PRACTICE CLINICAL  
3 ALCOHOL AND DRUG COUNSELING, CLINICAL MARRIAGE AND FAMILY THERAPY,  
4 OR CLINICAL PROFESSIONAL COUNSELING WHILE THE LICENSE IS EFFECTIVE.

5 (B) AN INDIVIDUAL LICENSED UNDER THIS SUBTITLE MAY PROVIDE  
6 SERVICES INVOLVING THE APPLICATION OF COUNSELING PRINCIPLES AND  
7 METHODS IN THE DIAGNOSIS, PREVENTION, TREATMENT, AND AMELIORATION  
8 OF PSYCHOLOGICAL PROBLEMS, EMOTIONAL CONDITIONS, OR MENTAL  
9 CONDITIONS OF INDIVIDUALS OR GROUPS.

10 **17-309.**

11 (A) THE BOARD MAY ADOPT REGULATIONS TO ALLOW AN INDIVIDUAL  
12 TO PRACTICE UNDER SUPERVISION AS A LICENSED GRADUATE ALCOHOL AND  
13 DRUG COUNSELOR, A LICENSED GRADUATE MARRIAGE AND FAMILY THERAPIST,  
14 OR A LICENSED GRADUATE PROFESSIONAL COUNSELOR.

15 (B) TO QUALIFY TO PRACTICE AS A LICENSED GRADUATE ALCOHOL AND  
16 DRUG COUNSELOR, A LICENSED GRADUATE MARRIAGE AND FAMILY THERAPIST,  
17 OR A LICENSED GRADUATE PROFESSIONAL COUNSELOR, AN INDIVIDUAL SHALL  
18 BE:

19 (1) OF GOOD MORAL CHARACTER; AND

20 (2) AT LEAST 18 YEARS OLD.

21 (C) AN INDIVIDUAL MAY PRACTICE GRADUATE ALCOHOL AND DRUG  
22 COUNSELING UNDER SUPERVISION FOR A LIMITED PERIOD OF TIME IF THE  
23 INDIVIDUAL HAS:

24 (1) A MASTER'S OR DOCTORAL DEGREE IN A HEALTH AND HUMAN  
25 SERVICES COUNSELING FIELD THAT MEETS THE EDUCATIONAL REQUIREMENTS  
26 OF § 17-302 OF THIS SUBTITLE; AND

27 (2) PASSED THE NATIONAL ALCOHOL AND DRUG COUNSELOR  
28 EXAMINATION APPROVED BY THE BOARD.

29 (D) AN INDIVIDUAL MAY PRACTICE GRADUATE MARRIAGE AND FAMILY  
30 THERAPY UNDER SUPERVISION FOR A LIMITED PERIOD OF TIME IF THE  
31 INDIVIDUAL HAS:

1           (1) A MASTER’S OR DOCTORAL DEGREE IN A MARRIAGE AND  
2 FAMILY FIELD THAT MEETS THE EDUCATIONAL REQUIREMENTS OF § 17-303 OF  
3 THIS SUBTITLE; AND

4           (2) PASSED THE NATIONAL MARRIAGE AND FAMILY THERAPY  
5 EXAMINATION APPROVED BY THE BOARD.

6           (E) AN INDIVIDUAL MAY PRACTICE GRADUATE PROFESSIONAL  
7 COUNSELING UNDER SUPERVISION FOR A LIMITED PERIOD OF TIME IF THE  
8 INDIVIDUAL HAS:

9           (1) A MASTER’S OR DOCTORAL DEGREE IN A PROFESSIONAL  
10 COUNSELING FIELD THAT MEETS THE EDUCATIONAL REQUIREMENTS OF  
11 § 17-304 OF THIS SUBTITLE; AND

12           (2) PASSED THE NATIONAL PROFESSIONAL COUNSELOR  
13 EXAMINATION APPROVED BY THE BOARD.

14           (F) AN INDIVIDUAL MAY NOT PRACTICE WITHOUT APPROVAL BY THE  
15 BOARD.

16                                   SUBTITLE 4. CERTIFICATION.

17 17-401.

18           (A) (1) THIS SUBSECTION ONLY APPLIES TO INDIVIDUALS CERTIFIED  
19 BY THE BOARD AS A CERTIFIED PROFESSIONAL COUNSELOR OR CERTIFIED  
20 PROFESSIONAL COUNSELOR-MARRIAGE AND FAMILY THERAPIST ON OR  
21 BEFORE SEPTEMBER 30, 2008.

22           (2) (I) AN INDIVIDUAL SHALL BE CERTIFIED AS A  
23 PROFESSIONAL COUNSELOR BY THE BOARD BEFORE THE INDIVIDUAL MAY:

24                                   1. USE THE TITLE “CERTIFIED PROFESSIONAL  
25 COUNSELOR”;

26                                   2. USE THE INITIALS “C.P.C.” AFTER THE NAME OF  
27 THE INDIVIDUAL; OR

28                                   3. REPRESENT TO THE PUBLIC THAT THE  
29 INDIVIDUAL IS CERTIFIED AS A PROFESSIONAL COUNSELOR.

30                                   (II) A CERTIFICATE TO PRACTICE PROFESSIONAL  
31 COUNSELING ISSUED BY THE BOARD AUTHORIZES THE CERTIFICATE HOLDER

1 TO PRACTICE PROFESSIONAL COUNSELING WHILE THE CERTIFICATE IS  
2 EFFECTIVE.

3 (3) (I) AN INDIVIDUAL SHALL BE CERTIFIED AS A  
4 PROFESSIONAL COUNSELOR-MARRIAGE AND FAMILY THERAPIST BY THE  
5 BOARD BEFORE THE INDIVIDUAL MAY:

6 1. USE THE TITLE "CERTIFIED PROFESSIONAL  
7 COUNSELOR-MARRIAGE AND FAMILY THERAPIST";

8 2. USE THE INITIALS "C.P.C.-M.F.T." AFTER THE  
9 NAME OF THE INDIVIDUAL; OR

10 3. REPRESENT TO THE PUBLIC THAT THE  
11 INDIVIDUAL IS CERTIFIED AS A CERTIFIED PROFESSIONAL  
12 COUNSELOR-MARRIAGE AND FAMILY THERAPIST.

13 (II) A CERTIFICATE TO PRACTICE MARRIAGE AND FAMILY  
14 THERAPY ISSUED BY THE BOARD AUTHORIZES THE CERTIFICATE HOLDER TO  
15 PRACTICE MARRIAGE AND FAMILY THERAPY WHILE THE CERTIFICATE IS  
16 EFFECTIVE.

17 (B) (1) AN INDIVIDUAL SHALL BE CERTIFIED AS A CERTIFIED  
18 PROFESSIONAL COUNSELOR-ALCOHOL AND DRUG BY THE BOARD BEFORE THE  
19 INDIVIDUAL MAY:

20 (I) USE THE TITLE "CERTIFIED PROFESSIONAL  
21 COUNSELOR-ALCOHOL AND DRUG";

22 (II) USE THE INITIALS "C.P.C.-A.D." AFTER THE NAME OF  
23 THE INDIVIDUAL; OR

24 (III) REPRESENT TO THE PUBLIC THAT THE INDIVIDUAL IS  
25 CERTIFIED AS A CERTIFIED PROFESSIONAL COUNSELOR-ALCOHOL AND DRUG.

26 (2) AN INDIVIDUAL SHALL BE CERTIFIED AS A CERTIFIED  
27 ASSOCIATE COUNSELOR-ALCOHOL AND DRUG BY THE BOARD BEFORE THE  
28 INDIVIDUAL MAY:

29 (I) USE THE TITLE "CERTIFIED ASSOCIATE  
30 COUNSELOR-ALCOHOL AND DRUG";

31 (II) USE THE INITIALS "C.A.C.-A.D." AFTER THE NAME OF  
32 THE INDIVIDUAL; OR



1                   (III) REPRESENT TO THE PUBLIC THAT THE INDIVIDUAL IS  
2 CERTIFIED AS A CERTIFIED ASSOCIATE COUNSELOR-ALCOHOL AND DRUG.

3                   (3) AN INDIVIDUAL SHALL BE CERTIFIED AS A CERTIFIED  
4 SUPERVISED COUNSELOR-ALCOHOL AND DRUG BY THE BOARD BEFORE THE  
5 INDIVIDUAL MAY:

6                   (I) USE THE TITLE "CERTIFIED SUPERVISED  
7 COUNSELOR-ALCOHOL AND DRUG";

8                   (II) USE THE INITIALS "C.S.C.-A.D." AFTER THE NAME OF  
9 THE INDIVIDUAL; OR

10                   (III) REPRESENT TO THE PUBLIC THAT THE INDIVIDUAL IS  
11 CERTIFIED AS A CERTIFIED SUPERVISED COUNSELOR-ALCOHOL AND DRUG.

12                   (4) A CERTIFICATE TO PRACTICE ALCOHOL AND DRUG  
13 COUNSELING ISSUED BY THE BOARD AUTHORIZES THE CERTIFICATE HOLDER  
14 TO PRACTICE ALCOHOL AND DRUG COUNSELING WHILE THE CERTIFICATE IS  
15 EFFECTIVE.

16 **17-402.**

17                   (A) EXCEPT AS PROVIDED IN § 17-405 OF THIS SUBTITLE, TO QUALIFY  
18 AS A CERTIFIED PROFESSIONAL COUNSELOR-ALCOHOL AND DRUG, AN  
19 APPLICANT SHALL MEET THE REQUIREMENTS OF THIS SECTION.

20                   (B) THE APPLICANT SHALL BE OF GOOD MORAL CHARACTER.

21                   (C) THE APPLICANT SHALL BE AT LEAST 18 YEARS OLD.

22                   (D) (1) THE APPLICANT SHALL HOLD A MASTER'S OR DOCTORAL  
23 DEGREE IN A HEALTH AND HUMAN SERVICES COUNSELING FIELD FROM AN  
24 ACCREDITED EDUCATIONAL INSTITUTION THAT IS APPROVED BY THE BOARD  
25 OR HAVE COMPLETED A PROGRAM OF STUDIES JUDGED BY THE BOARD TO BE  
26 SUBSTANTIALLY EQUIVALENT IN SUBJECT MATTER AND EXTENT OF TRAINING  
27 AS REQUIRED UNDER THIS SECTION.

28                   (2) IN THE CASE OF AN APPLICANT HOLDING A DOCTORAL  
29 DEGREE, THE APPLICANT SHALL HAVE COMPLETED A MINIMUM OF 90  
30 GRADUATE CREDIT HOURS IN COUNSELOR TRAINING APPROVED BY THE  
31 BOARD, INCLUDING INSTRUCTION IN THE FOLLOWING AREAS:

32                   (I) COUNSELING THEORY AND ETHICS;

- 1                   (II) COUNSELING TECHNIQUES;
- 2                   (III) HUMAN GROWTH AND DEVELOPMENT AND  
3 MALADAPTIVE BEHAVIORS;
- 4                   (IV) GROUP DYNAMICS, PROCESSING, AND COUNSELING;
- 5                   (V) SOCIAL AND CULTURAL FOUNDATIONS;
- 6                   (VI) LIFESTYLE AND CAREER DEVELOPMENT;
- 7                   (VII) APPRAISAL OF INDIVIDUALS;
- 8                   (VIII) RESEARCH AND EVALUATION;
- 9                   (IX) PARTICIPATION IN A SUPERVISED PRACTICUM IN  
10 PROFESSIONAL COUNSELING;
- 11                  (X) MARRIAGE AND FAMILY THERAPY; AND
- 12                  (XI) ALCOHOL AND DRUG COUNSELING.

13                  (3) IN THE CASE OF AN APPLICANT HOLDING ONLY A MASTER'S  
14 DEGREE, THE APPLICANT SHALL HAVE COMPLETED A MINIMUM OF 60  
15 GRADUATE CREDIT HOURS IN COUNSELOR TRAINING APPROVED BY THE BOARD  
16 INCLUDING INSTRUCTION IN THE AREAS SET FORTH IN PARAGRAPH (2) OF THIS  
17 SUBSECTION.

18                  (4) THE APPLICANT SHALL HAVE COMPLETED A MINIMUM OF 26  
19 CREDIT HOURS IN ALCOHOL AND DRUG COUNSELOR TRAINING, INCLUDING  
20 INSTRUCTION IN:

- 21                  (I) MEDICAL ASPECTS OF CHEMICAL DEPENDENCY;
- 22                  (II) GROUP COUNSELING;
- 23                  (III) INDIVIDUAL COUNSELING;
- 24                  (IV) FAMILY COUNSELING;
- 25                  (V) ASSESSMENT AND TREATMENT PLANNING;
- 26                  (VI) ETHICS FOR ALCOHOL AND DRUG COUNSELORS;
- 27                  (VII) HUMAN DEVELOPMENT;

1 (VIII) ABNORMAL PSYCHOLOGY; AND

2 (IX) COURSES PERTAINING TO COUNSELOR CORE  
3 FUNCTIONS OF SCREENING, INTAKE, ORIENTATION, CASE MANAGEMENT, CRISIS  
4 INTERVENTION, EDUCATION AND PREVENTION, REFERRAL, CONSULTATION,  
5 REPORTS AND RECORD KEEPING, AND SPECIAL ALCOHOL AND DRUG  
6 DEPENDENCY TOPICS.

7 (E) THE APPLICANT SHALL HAVE COMPLETED NOT LESS THAN 3 YEARS  
8 WITH A MINIMUM OF 2,000 HOURS OF SUPERVISED EXPERIENCE IN ALCOHOL  
9 AND DRUG COUNSELING APPROVED BY THE BOARD, 2 YEARS OF WHICH SHALL  
10 HAVE BEEN COMPLETED AFTER THE AWARD OF THE MASTER'S OR DOCTORAL  
11 DEGREE OR ITS SUBSTANTIAL EQUIVALENT.

12 (F) EXCEPT AS OTHERWISE PROVIDED IN THIS TITLE, THE APPLICANT  
13 SHALL PASS AN EXAMINATION APPROVED BY THE BOARD UNDER THIS TITLE.

14 17-403.

15 (A) EXCEPT AS PROVIDED IN § 17-405 OF THIS SUBTITLE, TO QUALIFY  
16 AS A CERTIFIED ASSOCIATE COUNSELOR-ALCOHOL AND DRUG, AN APPLICANT  
17 SHALL:

18 (1) HOLD A BACHELOR'S DEGREE FROM AN ACCREDITED  
19 EDUCATIONAL INSTITUTION APPROVED BY THE BOARD IN A HEALTH AND  
20 HUMAN SERVICES COUNSELING FIELD OR HAVE COMPLETED A PROGRAM OF  
21 STUDIES JUDGED BY THE BOARD TO BE SUBSTANTIALLY EQUIVALENT IN  
22 SUBJECT MATTER AND EXTENT OF TRAINING TO SUCH A PROGRAM OF STUDIES;

23 (2) HAVE COMPLETED NOT LESS THAN 3 YEARS, WITH A MINIMUM  
24 OF 2,000 HOURS OF SUPERVISED EXPERIENCE IN ALCOHOL AND DRUG  
25 COUNSELING APPROVED BY THE BOARD, 2 YEARS OF WHICH SHALL HAVE BEEN  
26 COMPLETED AFTER THE AWARD OF THE BACHELOR'S DEGREE;

27 (3) HAVE A MINIMUM OF 20 CREDIT HOURS IN ALCOHOL AND  
28 DRUG COUNSELOR TRAINING, INCLUDING INSTRUCTION IN:

29 (I) MEDICAL ASPECTS OF CHEMICAL DEPENDENCY;

30 (II) GROUP COUNSELING;

31 (III) INDIVIDUAL COUNSELING;

32 (IV) FAMILY COUNSELING;

- 1 (V) ASSESSMENT AND TREATMENT PLANNING;
- 2 (VI) ETHICS FOR ALCOHOL AND DRUG COUNSELORS;
- 3 (VII) HUMAN DEVELOPMENT;
- 4 (VIII) ABNORMAL PSYCHOLOGY; AND
- 5 (IX) COURSES PERTAINING TO COUNSELOR CORE  
6 FUNCTIONS OF SCREENING, INTAKE, ORIENTATION, CASE MANAGEMENT, CRISIS  
7 INTERVENTION, EDUCATION AND PREVENTION, REFERRAL, CONSULTATION,  
8 REPORTS AND RECORD KEEPING, AND SPECIAL ALCOHOL AND DRUG  
9 DEPENDENCY TOPICS; AND

10 (4) (I) PRACTICE ALCOHOL AND DRUG COUNSELING UNDER  
11 THE SUPERVISION OF A CERTIFIED PROFESSIONAL COUNSELOR-ALCOHOL AND  
12 DRUG OR ANOTHER HEALTH CARE PROVIDER APPROVED BY THE BOARD; OR

13 (II) PROVIDE ALCOHOL AND DRUG COUNSELING AS AN  
14 EMPLOYEE OF AN AGENCY OR FACILITY THAT IS ACCREDITED BY THE JOINT  
15 COMMISSION ON THE ACCREDITATION OF HEALTH CARE ORGANIZATIONS OR  
16 THAT IS CERTIFIED UNDER TITLE 8, SUBTITLE 4 OF THE HEALTH - GENERAL  
17 ARTICLE.

18 (B) EXCEPT AS OTHERWISE PROVIDED IN THIS TITLE, THE APPLICANT  
19 SHALL PASS AN EXAMINATION APPROVED BY THE BOARD UNDER THIS TITLE.

20 17-404.

21 (A) TO QUALIFY AS A CERTIFIED SUPERVISED COUNSELOR-ALCOHOL  
22 AND DRUG, AN APPLICANT SHALL:

23 (1) HOLD AN ASSOCIATE'S DEGREE IN A HEALTH AND HUMAN  
24 SERVICES COUNSELING FIELD OR HAVE COMPLETED A PROGRAM OF STUDIES  
25 JUDGED BY THE BOARD TO BE SUBSTANTIALLY EQUIVALENT IN SUBJECT  
26 MATTER TO SUCH A PROGRAM OF STUDIES;

27 (2) HAVE COMPLETED NOT LESS THAN 2 YEARS, WITH A MINIMUM  
28 OF 2,000 HOURS OF SUPERVISED EXPERIENCE IN ALCOHOL AND DRUG  
29 COUNSELING APPROVED BY THE BOARD, 1 YEAR OF WHICH SHALL HAVE BEEN  
30 COMPLETED AFTER THE AWARD OF THE ASSOCIATE'S DEGREE;

31 (3) HAVE A MINIMUM OF 15 CREDIT HOURS IN ALCOHOL AND  
32 DRUG COUNSELOR TRAINING, INCLUDING INSTRUCTION IN:

1 (I) MEDICAL ASPECTS OF CHEMICAL DEPENDENCY;

2 (II) GROUP COUNSELING;

3 (III) INDIVIDUAL COUNSELING;

4 (IV) FAMILY COUNSELING;

5 (V) ASSESSMENT AND TREATMENT PLANNING;

6 (VI) ETHICS FOR ALCOHOL AND DRUG COUNSELORS;

7 (VII) HUMAN DEVELOPMENT;

8 (VIII) ABNORMAL PSYCHOLOGY; AND

9 (IX) COURSES PERTAINING TO COUNSELOR CORE  
10 FUNCTIONS OF SCREENING, INTAKE, ORIENTATION, CASE MANAGEMENT, CRISIS  
11 INTERVENTION, EDUCATION AND PREVENTION, REFERRAL, CONSULTATION,  
12 REPORTS AND RECORD KEEPING, AND SPECIAL ALCOHOL AND DRUG  
13 DEPENDENCY TOPICS; AND

14 (4) PRACTICE ALCOHOL AND DRUG COUNSELING UNDER THE  
15 SUPERVISION OF A CERTIFIED PROFESSIONAL COUNSELOR-ALCOHOL AND  
16 DRUG OR ANOTHER HEALTH CARE PROVIDER APPROVED BY THE BOARD AND  
17 PROVIDE ALCOHOL AND DRUG COUNSELING AS AN EMPLOYEE OF AN AGENCY OR  
18 FACILITY THAT IS ACCREDITED BY THE JOINT COMMISSION ON THE  
19 ACCREDITATION OF HEALTH CARE ORGANIZATIONS OR THAT IS CERTIFIED  
20 UNDER TITLE 8, SUBTITLE 4 OF THE HEALTH - GENERAL ARTICLE.

21 (B) EXCEPT AS OTHERWISE PROVIDED IN THIS TITLE, THE APPLICANT  
22 SHALL PASS AN EXAMINATION APPROVED BY THE BOARD UNDER THIS TITLE.

23 17-405.

24 (A) THE BOARD SHALL WAIVE THE REQUIREMENTS FOR  
25 CERTIFICATION FOR AN APPLICANT TO PRACTICE ALCOHOL AND DRUG  
26 COUNSELING IF THE APPLICANT MEETS THE REQUIREMENTS OF THIS SECTION.

27 (B) IF THE APPLICANT IS LICENSED OR CERTIFIED TO PRACTICE AS A  
28 PROFESSIONAL COUNSELOR-ALCOHOL AND DRUG, THE BOARD SHALL GRANT A  
29 WAIVER UNDER THIS SECTION ONLY IF THE APPLICANT:

1           (1) IS LICENSED OR CERTIFIED IN ANOTHER STATE, TERRITORY,  
2 OR JURISDICTION THAT HAS REQUIREMENTS THAT ARE EQUIVALENT TO OR  
3 EXCEED THE REQUIREMENTS OF § 17-402 OF THIS SUBTITLE;

4           (2) SUBMITS AN APPLICATION TO THE BOARD ON A FORM THAT  
5 THE BOARD REQUIRES; AND

6           (3) PAYS TO THE BOARD AN APPLICATION FEE SET BY THE  
7 BOARD.

8           (C) IF THE APPLICANT IS LICENSED OR CERTIFIED TO PRACTICE AS AN  
9 ASSOCIATE COUNSELOR-ALCOHOL AND DRUG, THE BOARD SHALL GRANT A  
10 WAIVER UNDER THIS SECTION ONLY IF THE APPLICANT:

11           (1) IS LICENSED OR CERTIFIED IN ANOTHER STATE, TERRITORY,  
12 OR JURISDICTION THAT HAS REQUIREMENTS THAT ARE EQUIVALENT TO OR  
13 EXCEED THE REQUIREMENTS OF § 17-403 OF THIS SUBTITLE;

14           (2) SUBMITS AN APPLICATION TO THE BOARD ON A FORM THAT  
15 THE BOARD REQUIRES; AND

16           (3) PAYS TO THE BOARD AN APPLICATION FEE SET BY THE  
17 BOARD.

18           (D) IF THE APPLICANT IS LICENSED OR CERTIFIED TO PRACTICE AS A  
19 SUPERVISED COUNSELOR-ALCOHOL AND DRUG, THE BOARD SHALL GRANT A  
20 WAIVER UNDER THIS SECTION ONLY IF THE APPLICANT:

21           (1) IS LICENSED OR CERTIFIED IN ANOTHER STATE, TERRITORY,  
22 OR JURISDICTION THAT HAS REQUIREMENTS THAT ARE EQUIVALENT TO OR  
23 EXCEED THE REQUIREMENTS OF § 17-404 OF THIS SUBTITLE;

24           (2) SUBMITS AN APPLICATION TO THE BOARD ON A FORM THAT  
25 THE BOARD REQUIRES; AND

26           (3) PAYS TO THE BOARD AN APPLICATION FEE SET BY THE  
27 BOARD.

28           (E) THE BOARD SHALL ADOPT REGULATIONS TO CARRY OUT THIS  
29 SECTION.

30 17-406.

31           (A) (1) IN THIS SECTION THE FOLLOWING WORDS HAVE THE  
32 MEANINGS INDICATED.

1           (2)   **“APPROVED ALCOHOL AND DRUG SUPERVISOR” MEANS:**

2                   (I)   **A CERTIFIED PROFESSIONAL COUNSELOR–ALCOHOL**  
3 **AND DRUG;**

4                   (II) **A LICENSED CLINICAL ALCOHOL AND DRUG**  
5 **COUNSELOR; OR**

6                   (III) **A HEALTH CARE PROVIDER LICENSED OR CERTIFIED**  
7 **UNDER THIS ARTICLE WITH DOCUMENTED EXPERTISE IN ALCOHOL AND DRUG**  
8 **COUNSELING, AS APPROVED BY THE BOARD.**

9           (3)   **“UNDER THE SUPERVISION OF AN APPROVED ALCOHOL AND**  
10 **DRUG SUPERVISOR” MEANS ENGAGING IN AN ONGOING PROCESS THAT**  
11 **INCLUDES DIRECT, ON–SITE, FACE–TO–FACE, INDIVIDUAL OR GROUP MEETINGS**  
12 **WITH AN APPROVED ALCOHOL AND DRUG SUPERVISOR FOCUSED ON QUALITY**  
13 **OF DELIVERY OF ALCOHOL AND DRUG COUNSELING SERVICES AND**  
14 **IMPROVEMENT OF COUNSELING SKILLS FOR A MINIMUM OF 1 DOCUMENTED**  
15 **HOUR FOR EACH 40–HOUR WORKWEEK BUT NOT LESS THAN 2 DOCUMENTED**  
16 **HOURS PER MONTH FOR LESS THAN A 40–HOUR WORKWEEK.**

17           (B) (1) **AN INDIVIDUAL MAY PRACTICE CLINICAL ALCOHOL AND**  
18 **DRUG COUNSELING WITHOUT A LICENSE FOR A LIMITED PERIOD OF TIME, AS**  
19 **DETERMINED BY THE BOARD, IF THE INDIVIDUAL IS WORKING AS A TRAINEE**  
20 **UNDER THE SUPERVISION OF AN APPROVED ALCOHOL AND DRUG SUPERVISOR**  
21 **WHILE FULFILLING THE EXPERIENTIAL OR COURSE OF STUDY REQUIREMENTS**  
22 **UNDER § 17–302 OF THIS TITLE OR § 17–402, § 17–403, OR § 17–404 OF THIS**  
23 **SUBTITLE.**

24                   (2) **AN INDIVIDUAL MAY PRACTICE ALCOHOL AND DRUG**  
25 **COUNSELING WITHOUT CERTIFICATION FOR A LIMITED PERIOD OF TIME, AS**  
26 **DETERMINED BY THE BOARD, IF THE INDIVIDUAL IS WORKING AS A TRAINEE**  
27 **UNDER THE SUPERVISION OF AN APPROVED ALCOHOL AND DRUG SUPERVISOR**  
28 **WHILE FULFILLING THE EXPERIENTIAL OR COURSE OF STUDY REQUIREMENTS**  
29 **UNDER § 17–302 OF THIS TITLE OR § 17–402, § 17–403, OR § 17–404 OF THIS**  
30 **SUBTITLE.**

31                   **SUBTITLE 5. GENERAL PROVISIONS; DISCIPLINARY ACTIONS.**

32           **17–501.**

33                   **TO APPLY FOR A LICENSE OR CERTIFICATE, AN APPLICANT SHALL:**

1           (1)    **SUBMIT AN APPLICATION ON THE FORM THAT THE BOARD**  
2 **REQUIRES; AND**

3           (2)    **PAY TO THE BOARD THE APPLICATION FEE SET BY THE**  
4 **BOARD.**

5 **17-502.**

6           (A)    **AN APPLICANT WHO OTHERWISE QUALIFIES FOR A LICENSE OR**  
7 **CERTIFICATE IS ENTITLED TO BE EXAMINED AS PROVIDED IN THIS SECTION.**

8           (B)    **THE BOARD SHALL GIVE EXAMINATIONS TO APPLICANTS AT LEAST**  
9 **TWICE A YEAR, AT THE TIMES AND PLACES THAT THE BOARD DETERMINES.**

10          (C)    **THE BOARD SHALL NOTIFY EACH QUALIFIED APPLICANT OF THE**  
11 **TIME AND PLACE OF EXAMINATION.**

12          (D)    (1)   **THE BOARD MAY NOT LIMIT THE NUMBER OF TIMES AN**  
13 **APPLICANT MAY TAKE AN EXAMINATION REQUIRED UNDER THIS TITLE.**

14                   (2)   **THE APPLICANT SHALL PAY TO THE BOARD A**  
15 **REEXAMINATION FEE SET BY THE BOARD FOR EACH REEXAMINATION.**

16          (E)    **THE EXAMINATION SHALL INCLUDE A PORTION THAT TESTS AN**  
17 **APPLICANT'S KNOWLEDGE OF THE MARYLAND PROFESSIONAL COUNSELORS**  
18 **AND THERAPISTS ACT.**

19 **17-503.**

20          (A)    **THE BOARD SHALL ISSUE A LICENSE OR CERTIFICATE TO ANY**  
21 **APPLICANT WHO MEETS THE REQUIREMENTS OF THIS TITLE.**

22          (B)    **THE BOARD SHALL INCLUDE ON EACH LICENSE AND CERTIFICATE**  
23 **THAT THE BOARD ISSUES:**

24                   (1)   **THE KIND OF LICENSE OR CERTIFICATE;**

25                   (2)   **THE FULL NAME OF THE LICENSEE OR CERTIFICATE HOLDER;**

26                   (3)   **A SERIAL NUMBER;**

27                   (4)   **THE SIGNATURES OF THE CHAIRMAN AND THE SECRETARY OF**  
28 **THE BOARD; AND**

29                   (5)   **THE SEAL OF THE BOARD.**



1           **(C) THE BOARD MAY ISSUE A LICENSE OR CERTIFICATE TO REPLACE A**  
2 **LOST, DESTROYED, OR MUTILATED LICENSE OR CERTIFICATE IF THE LICENSEE**  
3 **OR CERTIFICATE HOLDER PAYS THE REPLACEMENT FEE SET BY THE BOARD.**

4 **17-504.**

5           **(A) (1) A LICENSE OR CERTIFICATE EXPIRES ON THE DATE SET BY**  
6 **THE BOARD, UNLESS THE LICENSE OR CERTIFICATE IS RENEWED FOR AN**  
7 **ADDITIONAL TERM AS PROVIDED IN THIS SECTION.**

8           **(2) A LICENSE OR CERTIFICATE MAY NOT BE RENEWED FOR A**  
9 **TERM LONGER THAN 2 YEARS.**

10           **(B) AT LEAST 1 MONTH BEFORE THE LICENSE OR CERTIFICATE**  
11 **EXPIRES, THE BOARD SHALL SEND TO THE LICENSEE OR CERTIFICATE HOLDER,**  
12 **BY FIRST-CLASS MAIL TO THE LAST KNOWN ADDRESS OF THE LICENSEE OR**  
13 **CERTIFICATE HOLDER, A RENEWAL NOTICE THAT STATES:**

14                   **(1) THE DATE ON WHICH THE CURRENT LICENSE OR**  
15 **CERTIFICATE EXPIRES;**

16                   **(2) THE DATE BY WHICH THE RENEWAL APPLICATION MUST BE**  
17 **RECEIVED BY THE BOARD FOR THE RENEWAL TO BE ISSUED AND MAILED**  
18 **BEFORE THE LICENSE OR CERTIFICATE EXPIRES; AND**

19                   **(3) THE AMOUNT OF THE RENEWAL FEE.**

20           **(C) EACH LICENSEE OR CERTIFICATE HOLDER SHALL NOTIFY THE**  
21 **BOARD OF ANY CHANGE IN THE ADDRESS OF THE LICENSEE OR CERTIFICATE**  
22 **HOLDER.**

23           **(D) BEFORE THE LICENSE OR CERTIFICATE EXPIRES, THE LICENSEE OR**  
24 **CERTIFICATE HOLDER PERIODICALLY MAY RENEW IT FOR AN ADDITIONAL**  
25 **2-YEAR TERM, IF THE LICENSEE OR CERTIFICATE HOLDER:**

26                   **(1) OTHERWISE IS ENTITLED TO BE LICENSED OR CERTIFIED;**

27                   **(2) PAYS TO THE BOARD THE RENEWAL FEE SET BY THE BOARD;**

28                   **(3) SUBMITS TO THE BOARD A RENEWAL APPLICATION ON THE**  
29 **FORM THAT THE BOARD REQUIRES; AND**

1           **(4) SUBMITS SATISFACTORY EVIDENCE OF COMPLIANCE WITH**  
2 **ANY CONTINUING EDUCATION REQUIREMENTS AS REQUIRED BY THE BOARD**  
3 **FOR LICENSE OR CERTIFICATE RENEWAL.**

4           **(E) THE BOARD MAY NOT AUTHORIZE HOME STUDY TOWARDS THE**  
5 **COMPLETION OF THE CONTINUING EDUCATION REQUIREMENTS.**

6           **(F) (1) THE BOARD SHALL RENEW THE LICENSE OR CERTIFICATE OF**  
7 **AND ISSUE A RENEWAL LICENSE OR CERTIFICATE TO EACH LICENSEE OR**  
8 **CERTIFICATE HOLDER WHO MEETS THE REQUIREMENTS OF THIS SECTION.**

9           **(2) THE BOARD SHALL INCLUDE THE TERM OF THE RENEWAL ON**  
10 **EACH RENEWAL LICENSE OR CERTIFICATE THAT THE BOARD ISSUES.**

11 **17-505.**

12           **(A) (1) EXCEPT AS PROVIDED IN PARAGRAPH (3) OF THIS**  
13 **SUBSECTION, THE BOARD SHALL PLACE A LICENSEE OR CERTIFICATE HOLDER**  
14 **ON INACTIVE STATUS, IF THE LICENSEE OR CERTIFICATE HOLDER:**

15                   **(I) SUBMITS TO THE BOARD AN APPLICATION FOR**  
16 **INACTIVE STATUS ON THE FORM REQUIRED BY THE BOARD; AND**

17                   **(II) PAYS THE INACTIVE STATUS FEE SET BY THE BOARD.**

18           **(2) THE BOARD SHALL ISSUE A LICENSE OR CERTIFICATE TO AN**  
19 **INDIVIDUAL WHO IS ON INACTIVE STATUS IF THE INDIVIDUAL COMPLIES WITH**  
20 **THE RENEWAL REQUIREMENTS THAT ARE IN EFFECT WHEN THE INDIVIDUAL**  
21 **REQUESTS THE RENEWAL OF THE LICENSE OR CERTIFICATE.**

22           **(3) THE BOARD MAY NOT PLACE A CERTIFIED PROFESSIONAL**  
23 **COUNSELOR-MARRIAGE AND FAMILY THERAPIST OR A CERTIFIED**  
24 **PROFESSIONAL COUNSELOR ON INACTIVE STATUS.**

25           **(B) (1) EXCEPT AS PROVIDED IN PARAGRAPH (2) OF THIS**  
26 **SUBSECTION, THE BOARD, IN ACCORDANCE WITH ITS REGULATIONS, MAY**  
27 **REINSTATE THE LICENSE OF A LICENSEE OR THE CERTIFICATE OF A**  
28 **CERTIFICATE HOLDER WHO HAS FAILED TO RENEW THE LICENSE OR**  
29 **CERTIFICATE FOR ANY REASON.**

30           **(2) THE BOARD MAY NOT REINSTATE THE CERTIFICATE OF A**  
31 **CERTIFIED PROFESSIONAL COUNSELOR-MARRIAGE AND FAMILY THERAPIST OR**  
32 **CERTIFIED PROFESSIONAL COUNSELOR WHO HAS FAILED TO RENEW THE**  
33 **CERTIFICATE FOR ANY REASON.**

1 **17-506.**

2 **EACH LICENSEE OR CERTIFICATE HOLDER SHALL DISPLAY THE LICENSE**  
3 **OR CERTIFICATE CONSPICUOUSLY IN THE LICENSEE'S OR CERTIFICATE**  
4 **HOLDER'S OFFICE OR PLACE OF EMPLOYMENT.**

5 **17-507.**

6 **(A) ANY INDIVIDUAL WHO IS LICENSED UNDER SUBTITLE 3 OF THIS**  
7 **TITLE OR CERTIFIED UNDER SUBTITLE 4 OF THIS TITLE MAY NOT CHARGE A**  
8 **CLIENT OR RECEIVE REMUNERATION FOR COUNSELING OR THERAPY SERVICES**  
9 **UNLESS:**

10 **(1) BEFORE THE PERFORMANCE OF THOSE SERVICES, THE**  
11 **CLIENT IS FURNISHED A COPY OF A PROFESSIONAL DISCLOSURE STATEMENT;**  
12 **OR**

13 **(2) (I) THIS PROFESSIONAL DISCLOSURE STATEMENT IS**  
14 **DISPLAYED IN A CONSPICUOUS LOCATION AT THE PLACE WHERE THE SERVICES**  
15 **ARE PERFORMED; AND**

16 **(II) A COPY OF THE STATEMENT IS PROVIDED TO THE**  
17 **CLIENT ON REQUEST.**

18 **(B) THE PROFESSIONAL DISCLOSURE STATEMENT SHALL CONTAIN:**

19 **(1) THE NAME, TITLE, BUSINESS ADDRESS, AND BUSINESS**  
20 **TELEPHONE NUMBER OF THE LICENSEE OR CERTIFICATE HOLDER PERFORMING**  
21 **THE SERVICES;**

22 **(2) THE FORMAL PROFESSIONAL EDUCATION OF THE LICENSEE**  
23 **OR CERTIFICATE HOLDER, INCLUDING THE INSTITUTIONS ATTENDED AND THE**  
24 **DEGREES RECEIVED FROM THEM;**

25 **(3) THE AREAS OF SPECIALIZATION OF THE LICENSEE OR**  
26 **CERTIFICATE HOLDER AND THE SERVICES PROVIDED;**

27 **(4) IN THE CASE OF AN INDIVIDUAL LICENSED UNDER SUBTITLE**  
28 **3 OF THIS TITLE OR CERTIFIED UNDER SUBTITLE 4 OF THIS TITLE WHO IS**  
29 **ENGAGED IN A PRIVATE INDIVIDUAL PRACTICE, PARTNERSHIP, OR GROUP**  
30 **PRACTICE, THE INDIVIDUAL'S FEE SCHEDULE LISTED BY TYPE OF SERVICE OR**  
31 **HOURLY RATE;**

32 **(5) AT THE BOTTOM OF THE FIRST PAGE OF THE DISCLOSURE**  
33 **STATEMENT, THE WORDS, "THIS INFORMATION IS REQUIRED BY THE BOARD OF**

1 **PROFESSIONAL COUNSELORS AND THERAPISTS, WHICH REGULATES ALL**  
2 **LICENSED AND CERTIFIED COUNSELORS AND THERAPISTS.”; AND**

3 **(6) IMMEDIATELY BENEATH THE STATEMENT REQUIRED BY ITEM**  
4 **(5) OF THIS SUBSECTION, THE NAME, ADDRESS, AND TELEPHONE NUMBER OF**  
5 **THE BOARD.**

6 **17-508.**

7 **(A) IN THIS SECTION, “REGULATED COUNSELOR OR THERAPIST”**  
8 **MEANS:**

9 **(1) A LICENSED CLINICAL ALCOHOL AND DRUG COUNSELOR;**

10 **(2) A LICENSED CLINICAL MARRIAGE AND FAMILY THERAPIST;**

11 **(3) A LICENSED CLINICAL PROFESSIONAL COUNSELOR;**

12 **(4) A LICENSED GRADUATE ALCOHOL AND DRUG COUNSELOR;**

13 **(5) A LICENSED GRADUATE MARRIAGE AND FAMILY THERAPIST;**

14 **(6) A LICENSED GRADUATE PROFESSIONAL COUNSELOR;**

15 **(7) A CERTIFIED PROFESSIONAL COUNSELOR-ALCOHOL AND**  
16 **DRUG COUNSELOR;**

17 **(8) A CERTIFIED ASSOCIATE COUNSELOR-ALCOHOL AND DRUG**  
18 **COUNSELOR;**

19 **(9) A CERTIFIED SUPERVISED COUNSELOR-ALCOHOL AND DRUG**  
20 **COUNSELOR;**

21 **(10) A CERTIFIED PROFESSIONAL COUNSELOR-MARRIAGE AND**  
22 **FAMILY THERAPIST; AND**

23 **(11) A CERTIFIED PROFESSIONAL COUNSELOR.**

24 **(B) UNLESS THE BOARD AGREES TO ACCEPT THE SURRENDER OF A**  
25 **LICENSE OR CERTIFICATE, WHILE THE LICENSEE OR CERTIFICATE HOLDER IS**  
26 **UNDER INVESTIGATION OR WHILE CHARGES ARE PENDING AGAINST THE**  
27 **LICENSEE OR CERTIFICATE HOLDER, A REGULATED COUNSELOR OR THERAPIST**  
28 **MAY NOT:**

29 **(1) SURRENDER THE LICENSE OR CERTIFICATE; OR**

1           **(2) ALLOW THE LICENSE OR CERTIFICATE TO LAPSE BY**  
2 **OPERATION OF LAW.**

3           **(C) THE BOARD MAY SET CONDITIONS ON ITS AGREEMENT WITH THE**  
4 **REGULATED COUNSELOR OR THERAPIST UNDER INVESTIGATION OR AGAINST**  
5 **WHOM CHARGES ARE PENDING TO ACCEPT SURRENDER OF THE LICENSE OR**  
6 **CERTIFICATE.**

7 **17-509.**

8           **SUBJECT TO THE HEARING PROVISIONS OF § 17-511 OF THIS SUBTITLE,**  
9 **THE BOARD, ON THE AFFIRMATIVE VOTE OF A MAJORITY OF ITS MEMBERS THEN**  
10 **SERVING, MAY DENY A LICENSE OR CERTIFICATE TO ANY APPLICANT, PLACE**  
11 **ANY LICENSEE OR CERTIFICATE HOLDER ON PROBATION, REPRIMAND ANY**  
12 **LICENSEE OR CERTIFICATE HOLDER, OR SUSPEND OR REVOKE A LICENSE OF**  
13 **ANY LICENSEE OR A CERTIFICATE OF ANY CERTIFICATE HOLDER IF THE**  
14 **APPLICANT, LICENSEE, OR CERTIFICATE HOLDER:**

15           **(1) FRAUDULENTLY OR DECEPTIVELY OBTAINS OR ATTEMPTS TO**  
16 **OBTAIN A LICENSE OR CERTIFICATE FOR THE APPLICANT, LICENSEE, OR**  
17 **CERTIFICATE HOLDER OR FOR ANOTHER;**

18           **(2) HABITUALLY IS INTOXICATED;**

19           **(3) PROVIDES PROFESSIONAL SERVICES:**

20           **(I) WHILE UNDER THE INFLUENCE OF ALCOHOL; OR**

21           **(II) WHILE USING ANY NARCOTIC OR CONTROLLED**  
22 **DANGEROUS SUBSTANCE, AS DEFINED IN § 5-101 OF THE CRIMINAL LAW**  
23 **ARTICLE, OR OTHER DRUG THAT IS IN EXCESS OF THERAPEUTIC AMOUNTS OR**  
24 **WITHOUT VALID MEDICAL INDICATION;**

25           **(4) AIDS OR ABETS AN UNAUTHORIZED INDIVIDUAL IN**  
26 **PRACTICING CLINICAL OR NONCLINICAL COUNSELING OR THERAPY OR**  
27 **REPRESENTING TO BE AN ALCOHOL AND DRUG COUNSELOR, MARRIAGE AND**  
28 **FAMILY THERAPIST, OR PROFESSIONAL COUNSELOR;**

29           **(5) PROMOTES THE SALE OF DRUGS, DEVICES, APPLIANCES, OR**  
30 **GOODS TO A PATIENT SO AS TO EXPLOIT THE PATIENT FOR FINANCIAL GAIN;**

31           **(6) WILLFULLY MAKES OR FILES A FALSE REPORT OR RECORD IN**  
32 **THE PRACTICE OF COUNSELING OR THERAPY;**

1           (7)   **MAKES A WILLFUL MISREPRESENTATION WHILE COUNSELING**  
2 **OR PROVIDING THERAPY;**

3           (8)   **VIOLATES THE CODE OF ETHICS ADOPTED BY THE BOARD;**

4           (9)   **KNOWINGLY VIOLATES ANY PROVISION OF THIS TITLE;**

5           (10) **IS CONVICTED OF OR PLEADS GUILTY OR NOLO CONTENDERE**  
6 **TO A FELONY OR A CRIME INVOLVING MORAL TURPITUDE, WHETHER OR NOT**  
7 **ANY APPEAL OR OTHER PROCEEDING IS PENDING TO HAVE THE CONVICTION OR**  
8 **PLEA SET ASIDE;**

9           (11) **IS    PROFESSIONALLY,    PHYSICALLY,    OR    MENTALLY**  
10 **INCOMPETENT;**

11          (12) **SUBMITS A FALSE STATEMENT TO COLLECT A FEE;**

12          (13) **VIOLATES ANY RULE OR REGULATION ADOPTED BY THE**  
13 **BOARD;**

14          (14) **IS DISCIPLINED BY A LICENSING OR DISCIPLINARY**  
15 **AUTHORITY OF ANY OTHER STATE OR COUNTRY OR CONVICTED OR DISCIPLINED**  
16 **BY A COURT OF ANY STATE OR COUNTRY FOR AN ACT THAT WOULD BE GROUNDS**  
17 **FOR DISCIPLINARY ACTION UNDER THE BOARD'S DISCIPLINARY STATUTES;**

18          (15) **REFUSES, WITHHOLDS FROM, DENIES, OR DISCRIMINATES**  
19 **AGAINST AN INDIVIDUAL WITH REGARD TO THE PROVISION OF PROFESSIONAL**  
20 **SERVICES FOR WHICH THE LICENSEE IS LICENSED AND QUALIFIED OR THE**  
21 **CERTIFICATE HOLDER IS CERTIFIED AND QUALIFIED TO RENDER BECAUSE THE**  
22 **INDIVIDUAL IS HIV POSITIVE;**

23          (16) **COMMITS AN ACT OF IMMORAL OR UNPROFESSIONAL**  
24 **CONDUCT IN THE PRACTICE OF CLINICAL OR NONCLINICAL COUNSELING OR**  
25 **THERAPY;**

26          (17) **KNOWINGLY FAILS TO REPORT SUSPECTED CHILD ABUSE IN**  
27 **VIOLATION OF § 5-704 OF THE FAMILY LAW ARTICLE; OR**

28          (18) **FAILS TO COOPERATE WITH A LAWFUL INVESTIGATION**  
29 **CONDUCTED BY THE BOARD.**

30 **17-510.**

31          (A) **IF AFTER A HEARING UNDER § 17-511 OF THIS SUBTITLE THE**  
32 **BOARD FINDS THAT THERE ARE GROUNDS UNDER § 17-509 OF THIS SUBTITLE**

1 TO PLACE ANY LICENSEE OR CERTIFICATE HOLDER ON PROBATION, REPRIMAND  
2 ANY LICENSEE OR CERTIFICATE HOLDER, OR SUSPEND OR REVOKE A LICENSE  
3 OR CERTIFICATE, THE BOARD MAY IMPOSE A PENALTY NOT EXCEEDING \$5,000:

4 (1) INSTEAD OF PLACING THE LICENSEE OR CERTIFICATE  
5 HOLDER ON PROBATION, REPRIMANDING THE LICENSEE OR CERTIFICATE  
6 HOLDER, OR SUSPENDING OR REVOKING THE LICENSE OR CERTIFICATE; OR

7 (2) IN ADDITION TO PLACING THE LICENSEE OR CERTIFICATE  
8 HOLDER ON PROBATION, REPRIMANDING THE LICENSEE OR CERTIFICATE  
9 HOLDER, OR SUSPENDING OR REVOKING THE LICENSE OR CERTIFICATE.

10 (B) THE BOARD SHALL ADOPT REGULATIONS TO SET STANDARDS FOR  
11 THE IMPOSITION OF PENALTIES UNDER THIS SECTION.

12 (C) THE BOARD SHALL PAY ANY MONEY COLLECTED UNDER THIS  
13 SECTION INTO THE GENERAL FUND OF THE STATE.

14 17-511.

15 (A) EXCEPT AS OTHERWISE PROVIDED IN TITLE 10, SUBTITLE 2 OF THE  
16 STATE GOVERNMENT ARTICLE, BEFORE THE BOARD TAKES ANY ACTION UNDER  
17 § 17-509 OF THIS SUBTITLE, IT SHALL GIVE THE INDIVIDUAL AGAINST WHOM  
18 THE ACTION IS CONTEMPLATED AN OPPORTUNITY FOR A HEARING BEFORE THE  
19 BOARD.

20 (B) THE BOARD SHALL GIVE NOTICE AND HOLD THE HEARING IN  
21 ACCORDANCE WITH TITLE 10, SUBTITLE 2 OF THE STATE GOVERNMENT  
22 ARTICLE.

23 (C) THE HEARING NOTICE TO BE GIVEN TO THE INDIVIDUAL SHALL BE  
24 SERVED PERSONALLY OR BY REGISTERED MAIL TO THE LAST KNOWN ADDRESS  
25 OF THE INDIVIDUAL AT LEAST 30 DAYS BEFORE THE HEARING.

26 (D) THE INDIVIDUAL MAY BE REPRESENTED AT THE HEARING BY  
27 COUNSEL.

28 (E) (1) OVER THE SIGNATURE OF AN OFFICER OR THE  
29 ADMINISTRATOR OF THE BOARD, THE BOARD MAY ISSUE SUBPOENAS AND  
30 ADMINISTER OATHS IN CONNECTION WITH ANY INVESTIGATION UNDER THIS  
31 TITLE AND ANY HEARINGS OR PROCEEDINGS BEFORE IT.

32 (2) IF, WITHOUT LAWFUL EXCUSE, A PERSON DISOBEYS A  
33 SUBPOENA FROM THE BOARD OR AN ORDER BY THE BOARD TO TAKE AN OATH  
34 OR TO TESTIFY OR ANSWER A QUESTION, THEN, ON PETITION OF THE BOARD, A

1 COURT OF COMPETENT JURISDICTION MAY PUNISH THE PERSON AS FOR  
2 CONTEMPT OF COURT.

3 (F) IF AFTER DUE NOTICE THE INDIVIDUAL AGAINST WHOM THE ACTION  
4 IS CONTEMPLATED FAILS OR REFUSES TO APPEAR, THE BOARD MAY HEAR AND  
5 DETERMINE THE MATTER.

6 **17-512.**

7 (A) EXCEPT AS PROVIDED IN THIS SECTION FOR AN ACTION UNDER §  
8 17-409 OF THIS TITLE, ANY PERSON AGGRIEVED BY A FINAL DECISION OF THE  
9 BOARD IN A CONTESTED CASE, AS DEFINED IN § 10-201 OF THE STATE  
10 GOVERNMENT ARTICLE, MAY:

11 (1) APPEAL THAT DECISION TO THE BOARD OF REVIEW; AND

12 (2) THEN TAKE ANY FURTHER APPEAL ALLOWED BY TITLE 10,  
13 SUBTITLE 2 OF THE STATE GOVERNMENT ARTICLE.

14 (B) ANY PERSON AGGRIEVED BY A FINAL DECISION OF THE BOARD  
15 UNDER § 17-509 OF THIS SUBTITLE:

16 (1) MAY NOT APPEAL TO THE BOARD OF REVIEW; BUT

17 (2) MAY TAKE A DIRECT JUDICIAL APPEAL AS PROVIDED IN  
18 TITLE 10, SUBTITLE 2 OF THE STATE GOVERNMENT ARTICLE.

19 (C) AN ORDER OF THE BOARD MAY NOT BE STAYED PENDING JUDICIAL  
20 REVIEW.

21 (D) THE BOARD MAY APPEAL FROM ANY DECISION THAT REVERSES OR  
22 MODIFIES ITS ORDER.

23 **17-513.**

24 (A) AN ACTION MAY BE MAINTAINED IN THE NAME OF THE STATE OR  
25 THE BOARD TO ENJOIN:

26 (1) THE UNAUTHORIZED PRACTICE OF ALCOHOL AND DRUG  
27 COUNSELING AND CLINICAL ALCOHOL AND DRUG COUNSELING, MARRIAGE AND  
28 FAMILY THERAPY AND CLINICAL MARRIAGE AND FAMILY THERAPY, OR  
29 PROFESSIONAL COUNSELING AND CLINICAL PROFESSIONAL COUNSELING; OR

30 (2) CONDUCT THAT IS A GROUND FOR DISCIPLINARY ACTION  
31 UNDER § 17-509 OF THIS SUBTITLE.



1           **(B) AN ACTION UNDER THIS SECTION MAY BE BROUGHT BY:**

2                   **(1) THE BOARD, IN ITS OWN NAME;**

3                   **(2) THE ATTORNEY GENERAL, IN THE NAME OF THE STATE; OR**

4                   **(3) A STATE’S ATTORNEY, IN THE NAME OF THE STATE.**

5           **(C) AN ACTION UNDER THIS SECTION SHALL BE BROUGHT IN THE**  
6 **COUNTY WHERE THE DEFENDANT:**

7                   **(1) RESIDES; OR**

8                   **(2) ENGAGES IN THE ACTS SOUGHT TO BE ENJOINED.**

9           **(D) PROOF OF ACTUAL DAMAGES OR THAT ANY PERSON WILL SUSTAIN**  
10 **ANY DAMAGES IF AN INJUNCTION IS NOT GRANTED IS NOT REQUIRED FOR AN**  
11 **ACTION UNDER THIS SECTION.**

12           **(E) AN ACTION UNDER THIS SECTION IS IN ADDITION TO AND NOT**  
13 **INSTEAD OF CRIMINAL PROSECUTION FOR THE UNAUTHORIZED PRACTICE OF**  
14 **ALCOHOL AND DRUG COUNSELING AND CLINICAL ALCOHOL AND DRUG**  
15 **COUNSELING, MARRIAGE AND FAMILY THERAPY AND CLINICAL MARRIAGE AND**  
16 **FAMILY THERAPY, OR PROFESSIONAL COUNSELING AND CLINICAL**  
17 **PROFESSIONAL COUNSELING, UNDER § 17-301, § 17-601, § 17-602, OR § 17-603**  
18 **OF THIS TITLE OR DISCIPLINARY ACTION UNDER § 17-509 OF THIS SUBTITLE.**

19 **17-514.**

20           **FOR REASONS THE BOARD CONSIDERS SUFFICIENT, AND ON THE**  
21 **AFFIRMATIVE VOTE OF A MAJORITY OF ITS MEMBERS THEN SERVING, THE**  
22 **BOARD MAY:**

23                   **(1) REINSTATE A LICENSE OR CERTIFICATE THAT HAS BEEN**  
24 **REVOKED;**

25                   **(2) REDUCE THE PERIOD OF A SUSPENSION OR PROBATION; OR**

26                   **(3) WITHDRAW A REPRIMAND.**

27 **17-515.**

28           **(A) IN THIS SECTION, “COUNSELOR AND THERAPIST REHABILITATION**  
29 **COMMITTEE” MEANS A COMMITTEE THAT:**

1           (1) IS DESCRIBED IN SUBSECTION (B) OF THIS SECTION; AND

2           (2) PERFORMS ANY OF THE FUNCTIONS LISTED IN SUBSECTION  
3 (D) OF THIS SECTION.

4           (B) FOR PURPOSES OF THIS SECTION, A COUNSELOR AND THERAPIST  
5 REHABILITATION COMMITTEE IS A COMMITTEE OF THE BOARD OR A  
6 COMMITTEE OF ANY ASSOCIATION OR ASSOCIATIONS REPRESENTING ALCOHOL  
7 AND DRUG COUNSELORS, MARRIAGE AND FAMILY THERAPISTS, OR  
8 PROFESSIONAL COUNSELORS THAT:

9           (1) IS RECOGNIZED BY THE BOARD; AND

10          (2) INCLUDES BUT IS NOT LIMITED TO ALCOHOL AND DRUG  
11 COUNSELORS, MARRIAGE AND FAMILY THERAPISTS, AND PROFESSIONAL  
12 COUNSELORS.

13          (C) A REHABILITATION COMMITTEE OF THE BOARD OR RECOGNIZED BY  
14 THE BOARD MAY FUNCTION:

15          (1) SOLELY FOR THE BOARD; OR

16          (2) JOINTLY WITH A REHABILITATION COMMITTEE  
17 REPRESENTING ANOTHER BOARD OR BOARDS.

18          (D) FOR PURPOSES OF THIS SECTION, A COUNSELOR AND THERAPIST  
19 REHABILITATION COMMITTEE EVALUATES AND PROVIDES ASSISTANCE TO ANY  
20 ALCOHOL AND DRUG COUNSELOR, MARRIAGE AND FAMILY THERAPIST,  
21 PROFESSIONAL COUNSELOR, AND ANY OTHER INDIVIDUAL REGULATED BY THE  
22 BOARD, IN NEED OF TREATMENT AND REHABILITATION FOR ALCOHOLISM,  
23 DRUG ABUSE, CHEMICAL DEPENDENCY, OR OTHER PHYSICAL, EMOTIONAL, OR  
24 MENTAL CONDITION.

25          (E) (1) EXCEPT AS OTHERWISE PROVIDED IN THIS SUBSECTION, THE  
26 PROCEEDINGS, RECORDS, AND FILES OF THE COUNSELOR AND THERAPIST  
27 REHABILITATION COMMITTEE ARE NOT DISCOVERABLE AND ARE NOT  
28 ADMISSIBLE IN EVIDENCE IN ANY CIVIL ACTION ARISING OUT OF THE MATTERS  
29 THAT ARE BEING OR HAVE BEEN REVIEWED AND EVALUATED BY THE  
30 COUNSELOR AND THERAPIST REHABILITATION COMMITTEE.

31          (2) PARAGRAPH (1) OF THIS SUBSECTION DOES NOT APPLY TO  
32 ANY RECORD OR DOCUMENT THAT IS CONSIDERED BY THE COUNSELOR AND  
33 THERAPIST REHABILITATION COMMITTEE AND THAT OTHERWISE WOULD BE  
34 SUBJECT TO DISCOVERY OR INTRODUCTION INTO EVIDENCE IN A CIVIL ACTION.

1           **(3) FOR PURPOSES OF THIS SUBSECTION, CIVIL ACTION DOES**  
2 **NOT INCLUDE A PROCEEDING BEFORE THE BOARD OR JUDICIAL REVIEW OF A**  
3 **PROCEEDING BEFORE THE BOARD.**

4           **(F) A PERSON WHO ACTS IN GOOD FAITH AND WITHIN THE SCOPE OF**  
5 **JURISDICTION OF A COUNSELOR AND THERAPIST REHABILITATION COMMITTEE**  
6 **IS NOT CIVILLY LIABLE FOR ANY ACTION AS A MEMBER OF THE COUNSELOR AND**  
7 **THERAPIST REHABILITATION COMMITTEE OR FOR GIVING INFORMATION TO,**  
8 **PARTICIPATING IN, OR CONTRIBUTING TO THE FUNCTION OF THE COUNSELOR**  
9 **AND THERAPIST REHABILITATION COMMITTEE.**

10                           **SUBTITLE 6. PROHIBITED ACTS; PENALTIES.**

11           **17-601.**

12           **UNLESS AN INDIVIDUAL IS LICENSED TO PRACTICE CLINICAL ALCOHOL**  
13 **AND DRUG COUNSELING, CLINICAL MARRIAGE AND FAMILY THERAPY, OR**  
14 **CLINICAL PROFESSIONAL COUNSELING, AN INDIVIDUAL MAY NOT:**

15           **(1) REPRESENT TO THE PUBLIC BY TITLE, BY DESCRIPTION OF**  
16 **SERVICES, METHODS, OR PROCEDURES, OR OTHERWISE, THAT THE INDIVIDUAL**  
17 **IS LICENSED BY THE BOARD TO PROVIDE CLINICAL ALCOHOL AND DRUG**  
18 **COUNSELING SERVICES, CLINICAL MARRIAGE AND FAMILY THERAPY SERVICES,**  
19 **OR CLINICAL PROFESSIONAL COUNSELING SERVICES IN THE STATE;**

20           **(2) USE ANY TITLE, ABBREVIATION, SIGN, CARD, OR OTHER**  
21 **REPRESENTATION THAT THE INDIVIDUAL IS A LICENSED CLINICAL ALCOHOL**  
22 **AND DRUG COUNSELOR, LICENSED CLINICAL MARRIAGE AND FAMILY**  
23 **THERAPIST, OR LICENSED CLINICAL PROFESSIONAL COUNSELOR; OR**

24           **(3) USE THE TITLE "L.C.A.D.C.", "L.C.M.F.T.", OR "L.C.P.C."**  
25 **OR THE WORDS "LICENSED CLINICAL ALCOHOL AND DRUG COUNSELOR",**  
26 **"LICENSED CLINICAL MARRIAGE AND FAMILY THERAPIST", OR "LICENSED**  
27 **CLINICAL PROFESSIONAL COUNSELOR" WITH THE INTENT TO REPRESENT THAT**  
28 **THE INDIVIDUAL PRACTICES CLINICAL ALCOHOL AND DRUG COUNSELING,**  
29 **CLINICAL MARRIAGE AND FAMILY THERAPY, OR CLINICAL PROFESSIONAL**  
30 **COUNSELING.**

31           **17-602.**

32           **EXCEPT AS OTHERWISE PROVIDED IN THIS TITLE, UNLESS AN INDIVIDUAL**  
33 **HAS BEEN APPROVED BY THE BOARD TO PRACTICE AS A LICENSED GRADUATE**  
34 **ALCOHOL AND DRUG COUNSELOR, A LICENSED GRADUATE PROFESSIONAL**

1 COUNSELOR, OR A LICENSED GRADUATE MARRIAGE AND FAMILY THERAPIST  
2 THE INDIVIDUAL MAY NOT:

3 (1) USE THE TITLE "LICENSED GRADUATE ALCOHOL AND DRUG  
4 COUNSELOR", "LICENSED GRADUATE PROFESSIONAL COUNSELOR", OR  
5 "LICENSED GRADUATE MARRIAGE AND FAMILY THERAPIST";

6 (2) USE THE INITIALS "L.G.A.D.C.", "L.G.P.C.", OR  
7 "L.G.M.F.T." AFTER THE NAME OF THE INDIVIDUAL;

8 (3) REPRESENT TO THE PUBLIC THAT THE INDIVIDUAL IS  
9 APPROVED BY THE BOARD TO PRACTICE ALCOHOL AND DRUG COUNSELING,  
10 PROFESSIONAL COUNSELING, OR MARRIAGE AND FAMILY THERAPY; OR

11 (4) USE ANY TITLE, ABBREVIATION, SIGN, CARD, OR OTHER  
12 REPRESENTATION THAT THE INDIVIDUAL IS A LICENSED GRADUATE ALCOHOL  
13 AND DRUG COUNSELOR, A LICENSED GRADUATE PROFESSIONAL COUNSELOR,  
14 OR A LICENSED GRADUATE MARRIAGE AND FAMILY THERAPIST.

15 **17-603.**

16 EXCEPT AS OTHERWISE PROVIDED IN THIS TITLE, UNLESS AN INDIVIDUAL  
17 IS CERTIFIED TO PRACTICE ALCOHOL AND DRUG COUNSELING, MARRIAGE AND  
18 FAMILY THERAPY, OR PROFESSIONAL COUNSELING, THE INDIVIDUAL MAY NOT:

19 (1) REPRESENT TO THE PUBLIC BY TITLE, BY DESCRIPTION OF  
20 SERVICES, METHODS, OR PROCEDURES, OR OTHERWISE, THAT THE INDIVIDUAL  
21 IS CERTIFIED BY THE BOARD TO PROVIDE COUNSELING OR THERAPY SERVICES  
22 IN THIS STATE;

23 (2) USE ANY TITLE, ABBREVIATION, SIGN, CARD, OR OTHER  
24 REPRESENTATION THAT THE INDIVIDUAL IS A CERTIFIED PROFESSIONAL  
25 COUNSELOR, CERTIFIED PROFESSIONAL COUNSELOR-MARRIAGE AND FAMILY  
26 THERAPIST, CERTIFIED PROFESSIONAL COUNSELOR-ALCOHOL AND DRUG,  
27 CERTIFIED ASSOCIATE COUNSELOR-ALCOHOL AND DRUG, OR CERTIFIED  
28 SUPERVISED COUNSELOR-ALCOHOL AND DRUG; OR

29 (3) USE THE TITLE "C.P.C.", "C.P.C.-M.F.T.", "C.P.C.-A.D.",  
30 "C.A.C.-A.D.", OR "C.S.C.-A.D.", THE WORDS "CERTIFIED PROFESSIONAL  
31 COUNSELOR" OR "CERTIFIED PROFESSIONAL COUNSELOR-MARRIAGE AND  
32 FAMILY THERAPIST", OR THE WORDS "CERTIFIED COUNSELOR" OR "CERTIFIED  
33 MARRIAGE AND FAMILY THERAPIST" WITH THE INTENT TO REPRESENT THAT  
34 THE INDIVIDUAL PRACTICES PROFESSIONAL COUNSELING OR MARRIAGE AND  
35 FAMILY THERAPY, OR THE WORDS "CERTIFIED PROFESSIONAL  
36 COUNSELOR-ALCOHOL AND DRUG", "CERTIFIED ASSOCIATE

1 COUNSELOR-ALCOHOL AND DRUG”, “CERTIFIED SUPERVISED  
2 COUNSELOR-ALCOHOL AND DRUG” WITH THE INTENT TO REPRESENT THAT THE  
3 INDIVIDUAL PRACTICES ALCOHOL AND DRUG COUNSELING.

4 **17-604.**

5 (A) ANY PERSON WHO VIOLATES ANY PROVISION OF THIS SUBTITLE OR  
6 § 17-301 OF THIS TITLE IS GUILTY OF A MISDEMEANOR AND ON CONVICTION IS  
7 SUBJECT TO A FINE NOT EXCEEDING \$2,000 OR IMPRISONMENT NOT  
8 EXCEEDING 1 YEAR OR BOTH.

9 (B) EACH VIOLATION OF THIS SUBTITLE IS A SEPARATE OFFENSE.

10 **SUBTITLE 7. SHORT TITLE; TERMINATION OF TITLE.**

11 **17-701.**

12 THIS TITLE MAY BE CITED AS THE “MARYLAND PROFESSIONAL  
13 COUNSELORS AND THERAPISTS ACT”.

14 **17-702.**

15 SUBJECT TO THE EVALUATION AND REESTABLISHMENT PROVISIONS OF  
16 THE MARYLAND PROGRAM EVALUATION ACT, THIS TITLE AND ALL RULES OR  
17 REGULATIONS ADOPTED UNDER THIS TITLE SHALL TERMINATE AND BE OF NO  
18 EFFECT AFTER JULY 1, 2019.

19 **Article – State Government**

20 **8-403.**

21 (a) On or before December 15 of the 2nd year before the evaluation date of a  
22 governmental activity or unit, the Legislative Policy Committee, based on a  
23 preliminary evaluation, may waive as unnecessary the evaluation required under this  
24 section.

25 (b) Except as otherwise provided in subsection (a) of this section, on or before  
26 the evaluation date for the following governmental activities or units, an evaluation  
27 shall be made of the following governmental activities or units and the statutes and  
28 regulations that relate to the governmental activities or units:

29 (16) Counselors and Therapists, State Board of Professional (§ 17-201  
30 of the Health Occupations Article: [July 1, 2008] **JULY 1, 2018**);

31 SECTION 3. AND BE IT FURTHER ENACTED, That the Laws of Maryland  
32 read as follows:

1 **Article – Health Occupations**

2 **17-405.1.**

3 (A) (1) THE BOARD SHALL WAIVE THE REQUIREMENTS FOR  
4 CERTIFICATION AS A CERTIFIED PROFESSIONAL COUNSELOR-ALCOHOL AND  
5 DRUG UNDER § 17-402 OF THIS SUBTITLE FOR ANY INDIVIDUAL WHO:

6 (I) HAD FILED A LETTER OF INTENT WITH THE BOARD BY  
7 OCTOBER 1, 2001;

8 (II) FILES AN APPLICATION FOR CERTIFICATION AS A  
9 CERTIFIED PROFESSIONAL COUNSELOR-ALCOHOL AND DRUG ON OR BEFORE  
10 MAY 1, 2009;

11 (III) HOLDS A MASTER'S OR DOCTORAL DEGREE IN A  
12 HEALTH AND HUMAN SERVICES COUNSELING FIELD OR HAS COMPLETED A  
13 PROGRAM THAT THE BOARD DETERMINES TO BE SUBSTANTIALLY EQUIVALENT  
14 IN SUBJECT MATTER AND EXTENT OF TRAINING AS A MASTER'S OR DOCTORAL  
15 DEGREE IN A HEALTH AND HUMAN SERVICES COUNSELING FIELD;

16 (IV) AS OF JULY 1, 2001, WAS CERTIFIED AS A CERTIFIED  
17 CHEMICAL DEPENDENCY COUNSELOR, ITS EQUIVALENT, OR HIGHER BY THE  
18 MARYLAND ADDICTION COUNSELOR CERTIFICATION BOARD, ANOTHER STATE,  
19 THE CERTIFICATION COMMISSION OF THE NATIONAL ASSOCIATION OF  
20 ALCOHOLISM AND DRUG ABUSE COUNSELORS, OR THE INTERNATIONAL  
21 CERTIFICATION RECIPROCITY CONSORTIUM, OR WAS EMPLOYED IN THE  
22 CAPACITY OF A PROGRAM SPECIALIST I, II, III, OR ITS EQUIVALENT, OR  
23 HIGHER, IN AN AGENCY OR FACILITY ACCREDITED BY THE JOINT COMMISSION  
24 ON THE ACCREDITATION OF HEALTH CARE ORGANIZATIONS OR CERTIFIED  
25 UNDER TITLE 8, SUBTITLE 4 OF THE HEALTH – GENERAL ARTICLE;

26 (V) HAS COMPLETED NOT LESS THAN 3 YEARS WITH A  
27 MINIMUM OF 3,000 HOURS OF SUPERVISED EXPERIENCE IN ALCOHOL AND DRUG  
28 ABUSE COUNSELING APPROVED BY THE BOARD, 2 YEARS OF WHICH SHALL  
29 HAVE BEEN COMPLETED AFTER THE AWARD OF THE MASTER'S OR DOCTORAL  
30 DEGREE; AND

31 (VI) HAD, BY OCTOBER 1, 2001, SUCCESSFULLY PASSED AN  
32 EXAMINATION APPROVED BY THE BOARD.

33 (2) THE BOARD SHALL WAIVE THE REQUIREMENTS FOR  
34 CERTIFICATION AS A CERTIFIED ASSOCIATE COUNSELOR-ALCOHOL AND DRUG  
35 FOR ANY INDIVIDUAL WHO:

1 (I) HAD FILED A LETTER OF INTENT WITH THE BOARD BY  
2 OCTOBER 1, 2001;

3 (II) FILES AN APPLICATION FOR CERTIFICATION AS A  
4 CERTIFIED ASSOCIATE COUNSELOR-ALCOHOL AND DRUG ON OR BEFORE MAY 1,  
5 2009;

6 (III) HOLDS A BACHELOR'S DEGREE IN A HEALTH AND  
7 HUMAN SERVICES COUNSELING FIELD OR HAS COMPLETED A PROGRAM THAT  
8 THE BOARD DETERMINES TO BE SUBSTANTIALLY EQUIVALENT IN SUBJECT  
9 MATTER AND EXTENT OF TRAINING TO A BACHELOR'S DEGREE IN A HEALTH AND  
10 HUMAN SERVICES COUNSELING FIELD;

11 (IV) AS OF JULY 1, 2001, WAS CERTIFIED AS A CERTIFIED  
12 CHEMICAL DEPENDENCY COUNSELOR, ITS EQUIVALENT, OR HIGHER, BY THE  
13 MARYLAND ADDICTION COUNSELOR CERTIFICATION BOARD, ANOTHER STATE,  
14 THE CERTIFICATION COMMISSION OF THE NATIONAL ASSOCIATION OF  
15 ALCOHOLISM AND DRUG ABUSE COUNSELORS, OR THE INTERNATIONAL  
16 CERTIFICATION RECIPROCITY CONSORTIUM, OR WAS EMPLOYED IN THE  
17 CAPACITY OF A PROGRAM SPECIALIST I, II, III, OR ITS EQUIVALENT, OR  
18 HIGHER, IN AN AGENCY OR FACILITY ACCREDITED BY THE JOINT COMMISSION  
19 ON THE ACCREDITATION OF HEALTH CARE ORGANIZATIONS OR CERTIFIED  
20 UNDER TITLE 8, SUBTITLE 4 OF THE HEALTH - GENERAL ARTICLE; AND

21 (V) HAS COMPLETED NOT LESS THAN 3 YEARS WITH A  
22 MINIMUM OF 3,000 HOURS OF SUPERVISED EXPERIENCE IN ALCOHOL AND DRUG  
23 ABUSE COUNSELING APPROVED BY THE BOARD, 2 YEARS OF WHICH SHALL  
24 HAVE BEEN COMPLETED AFTER THE AWARD OF THE BACHELOR'S DEGREE OR A  
25 PROGRAM THAT THE BOARD DETERMINES TO BE SUBSTANTIALLY EQUIVALENT  
26 IN SUBJECT MATTER AND EXTENT OF TRAINING.

27 (3) THE BOARD SHALL WAIVE THE REQUIREMENTS FOR  
28 CERTIFICATION AS A CERTIFIED SUPERVISED COUNSELOR-ALCOHOL AND DRUG  
29 FOR ANY INDIVIDUAL WHO:

30 (I) HAD FILED A LETTER OF INTENT WITH THE BOARD BY  
31 OCTOBER 1, 2001;

32 (II) FILES AN APPLICATION FOR CERTIFICATION AS A  
33 CERTIFIED SUPERVISED COUNSELOR-ALCOHOL AND DRUG ON OR BEFORE MAY  
34 1, 2009;

35 (III) HOLDS AN ASSOCIATE'S DEGREE IN HEALTH AND  
36 HUMAN SERVICES COUNSELING OR HAS COMPLETED A PROGRAM THAT THE

1 **BOARD DETERMINES TO BE SUBSTANTIALLY EQUIVALENT IN SUBJECT MATTER**  
2 **AND EXTENT OF TRAINING TO AN ASSOCIATE'S DEGREE IN HEALTH AND HUMAN**  
3 **SERVICES COUNSELING; OR**

4 (IV) **AS OF JULY 1, 2001, WAS CERTIFIED AS A CERTIFIED**  
5 **ALCOHOLISM COUNSELOR, CERTIFIED DRUG COUNSELOR, OR HIGHER, BY THE**  
6 **MARYLAND ADDICTION COUNSELOR CERTIFICATION BOARD, ANOTHER STATE,**  
7 **THE CERTIFICATION COMMISSION OF THE NATIONAL ASSOCIATION OF**  
8 **ALCOHOLISM AND DRUG ABUSE COUNSELORS, OR THE INTERNATIONAL**  
9 **CERTIFICATION RECIPROCIY CONSORTIUM, OR WAS EMPLOYED IN THE**  
10 **CAPACITY OF AN ADDICTION COUNSELOR II OR III, OR ITS EQUIVALENT, OR**  
11 **HIGHER, IN AN AGENCY OR FACILITY ACCREDITED BY THE JOINT COMMISSION**  
12 **ON THE ACCREDITATION OF HEALTH CARE ORGANIZATIONS OR CERTIFIED**  
13 **UNDER TITLE 8, SUBTITLE 4 OF THE HEALTH – GENERAL ARTICLE.**

14 SECTION 4. AND BE IT FURTHER ENACTED, That:

15 ~~(a) The term of the professional counselor member of the Board of~~  
16 ~~Professional Counselors and Therapists whose term is scheduled to expire on June 30,~~  
17 ~~2009, shall terminate at the end of June 30, 2009, at which time no successors shall be~~  
18 ~~appointed.~~

19 ~~(b)~~ (a) The Governor shall appoint two alcohol and drug counselor members and  
20 ~~one~~ two marriage and family therapist ~~member~~ members in accordance with § 17–202  
21 of the Health Occupations Article, as enacted by Section 5 of this Act. These members  
22 shall serve a term of 4 years which shall begin on July 1, 2009, and the members shall  
23 serve until a successor is appointed and qualifies.

24 ~~(c)~~ (b) Notwithstanding the provisions of § 17–202 of the Health Occupations  
25 Article, as enacted by Section 2 of this Act, the term of the certified associate  
26 counselor–alcohol and drug or certified supervised counselor–alcohol and drug advisor  
27 to the Board appointed by the Governor on or before October 1, 2008, shall terminate  
28 at the end of June 30, 2009.

29 SECTION 5. AND BE IT FURTHER ENACTED, That:

30 (a) On or before October 1, 2010, the State Board of Professional Counselors  
31 and Therapists shall submit, in accordance with § 2–1246 of the State Government  
32 Article, to the Senate Education, Health, and Environmental Affairs Committee and  
33 the House Health and Government Operations Committee an interim report on  
34 Board's actions concerning the recommendations contained in the sunset review report  
35 of the State Board of Professional Counselors and Therapists published by the  
36 Department of Legislative Services in October 2007.

37 (b) The interim report shall include an explanation of:



1           (1) the results of the Board’s review of the certification structure for  
2 alcohol and drug counselors to determine whether the current three-tiered structure  
3 is of continued benefit to the profession and the public, including any proposed  
4 alternatives to the current structure;

5           (2) the results of the Board’s evaluation of the current revenue  
6 structure to determine levels necessary to reach a reasonable fund balance by the end  
7 of fiscal year 2011; and

8           (3) the implementation of any other recommendations contained in the  
9 report referenced in subsection (a) of this section.

10           SECTION 6. AND BE IT FURTHER ENACTED, That this Act shall take effect  
11 October 1, 2008. Section 3 of this Act shall remain effective for a period of 1 year and,  
12 at the end of September 30, 2009, with no further action required by the General  
13 Assembly, Section 3 of this Act shall be abrogated and of no further force and effect.

Approved:

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Governor.

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Speaker of the House of Delegates.

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President of the Senate.