

Chapter 797

(Senate Bill 646)

AN ACT concerning

Alcohol and Drug Counseling – Alcohol and Drug Trainees – Practice Through Telehealth

FOR the purpose of authorizing certain individuals to practice clinical alcohol and drug counseling without a license and alcohol and drug counseling without a certification through telehealth under certain circumstances; and generally relating to alcohol and drug counseling and telehealth.

BY repealing and reenacting, without amendments,
Article – Health Occupations
Section 1–1001(a) and (e)
Annotated Code of Maryland
(2014 Replacement Volume and 2020 Supplement)

BY repealing and reenacting, with amendments,
Article – Health Occupations
Section 17–406
Annotated Code of Maryland
(2014 Replacement Volume and 2020 Supplement)

SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND,
That the Laws of Maryland read as follows:

Article – Health Occupations

1–1001.

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

(e) (1) “Telehealth” means a mode of delivering health care services through the use of telecommunications technologies by a health care practitioner to a patient at a different physical location than the health care practitioner.

(2) “Telehealth” includes synchronous and asynchronous interactions.

(3) “Telehealth” does not include the provision of health care services solely through audio–only calls, e–mail messages, or facsimile transmissions.

17–406.

(a) (1) In this section the following words have the meanings indicated.

(2) “Approved alcohol and drug supervisor” means:

(i) A certified professional counselor–alcohol and drug;

(ii) A licensed clinical alcohol and drug counselor; or

(iii) A health care provider licensed or certified under this article with documented expertise in alcohol and drug counseling, as approved by the Board.

(3) “Under the supervision of an approved alcohol and drug supervisor” means engaging in an ongoing process that includes direct, on–site, face–to–face, individual or group meetings with an approved alcohol and drug supervisor focused on quality of delivery of alcohol and drug counseling services and improvement of counseling skills for a minimum of 1 documented hour for each 40–hour workweek but not less than 2 documented hours per month for less than a 40–hour workweek.

(b) (1) An individual may practice clinical alcohol and drug counseling, **INCLUDING THROUGH TELEHEALTH**, without a license for a limited period of time, as determined by the Board, if the individual is working as a trainee under the supervision of an approved alcohol and drug supervisor while fulfilling the experiential or course of study requirements under § 17–302 of this title or § 17–403 or § 17–404 of this subtitle.

(2) An individual may practice alcohol and drug counseling, **INCLUDING THROUGH TELEHEALTH**, without certification for a limited period of time, as determined by the Board, if the individual is working as a trainee under the supervision of an approved alcohol and drug supervisor while fulfilling the experiential or course of study requirements under § 17–302 of this title or § 17–403 or § 17–404 of this subtitle.

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect October 1, 2021.

Enacted under Article II, § 17(c) of the Maryland Constitution, May 30, 2021.