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1997 Regular Session
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By: Senator Collins

Introduced and read first time: January 31, 1997

Assigned to: Economic and Environmental Affairs

Committee Report: Favorable with amendments

Senate action: Adopted

Read second time: March 18, 1997

CHAPTER ____

1 AN ACT concerning

2 **Health Occupations - Alcohol and Drug Counselors - Certification**

3 FOR the purpose of altering the composition of the State Board of Examiners of
4 Professional Counselors; altering certain qualifications for certification as a
5 certified associate counselor-alcohol and drug; altering certain qualifications for the
6 waiver of certain requirements for certification as a certified professional
7 counselor-alcohol and drug, certified associate counselor-alcohol and drug, and
8 certified supervised counselor-alcohol and drug; correcting certain erroneous titles;
9 providing for the effective date of this Act; and generally relating to the
10 qualifications for certification as an alcohol and drug counselor.

11 BY repealing and reenacting, with amendments,
12 Article - Health Occupations
13 Section 17-202(a)(1) and (2), (e), (f), and (g), 17-302.4, and 17-306(c)
14 Annotated Code of Maryland
15 (1994 Replacement Volume and 1996 Supplement)

16 BY repealing and reenacting, with amendments,
17 Chapter 577 of the Acts of the General Assembly of 1996
18 Section 2

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

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1 **Article - Health Occupations**2 17-202.3 (a) (1) The Board consists of [nine] 10 members appointed by the Governor
4 with the advice of the Secretary.5 (2) Of the [nine] 10 Board members:6 (i) Five shall be certified as professional counselors, including:7 1. One who is primarily engaged in professional counselor
8 education;9 2. One who is employed in the private sector;10 3. One who is employed in the public sector; and11 4. Two professional counselors at large;12 (ii) One shall be a certified professional counsel-marriage and family
13 therapist;14 (iii) One shall be a certified professional counselor-alcohol and drug;
15 [and]16 (iv) Two shall be consumer members; AND17 (V) ONE SHALL BE AN EX OFFICIO MEMBER WHO IS A CERTIFIED
18 ASSOCIATE COUNSELOR-ALCOHOL AND DRUG OR A CERTIFIED SUPERVISED
19 COUNSELOR-ALCOHOL AND DRUG.20 (e) THE CERTIFIED ASSOCIATE COUNSELOR-ALCOHOL AND DRUG OR
21 CERTIFIED SUPERVISED COUNSELOR-ALCOHOL AND DRUG MEMBER SHALL
22 PARTICIPATE AS A MEMBER OF THE BOARD BUT SERVES IN AN EX OFFICIO
23 CAPACITY WITHOUT VOTING PRIVILEGES.24 (F) Before taking office, each appointee to the Board shall take the oath required
25 by Article I, § 9 of the State Constitution.26 [(f)] (G) (1) The term of a member is 4 years.27 (2) The terms of the members of the Board are staggered as required by the
28 terms of the members of the Board serving on July 1, 1988.29 (3) At the end of a term, a member continues to serve until a successor is
30 appointed and qualifies.31 (4) A member may not serve more than 2 consecutive full terms.32 (5) To the extent practicable, the Governor shall fill any vacancy on the
33 Board within 60 days of the date of the vacancy.34 [(g)] (H) (1) The Governor may remove a member for incompetency,
35 misconduct, or neglect of duty.

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

4 17-302.4.

5 To qualify as a certified associate counselor-alcohol and drug an applicant shall:

6 (1) Hold a bachelor's degree from an accredited educational institution
7 approved by the Board in a health or human services counseling field or have completed
8 a program of studies judged by the Board to be substantially equivalent in subject matter
9 and extent of training to such a program of studies;

10 (2) Have completed not less than 3 years, with a minimum of 2,000 hours of
11 supervised experience in alcohol and drug counseling approved by the Board, 2 years of
12 which shall have been completed after the award of the bachelor's degree;

13 (3) Have a minimum of 20 credit hours in alcohol and drug counselor
14 training as defined in § 17-302.3(d)(4) of this title; and

15 (4) (I) Practice alcohol and drug counseling under the supervision of a
16 certified professional counselor-alcohol and drug or another health care provider
17 approved by the Board; OR

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

22 17-306.

23 (c) (1) The Board shall waive the requirements for certification as a certified
24 professional counselor-alcohol and drug under § 17-302.3 of this subtitle for any person
25 who:

26 (i) Has filed a letter of intent with the Board by July 1, [1997] 1998;

27 (ii) Holds a master's or doctoral degree in a health and human services
28 counseling field or has completed a program that the Board determines to be
29 substantially equivalent in subject matter and extent of training as a master's or doctoral
30 degree in a health and human services counseling field;

31 (iii) As of July 1, [1996] 1997, is certified as a certified chemical
32 dependency counselor [or certified clinical supervisor] , ITS EQUIVALENT, OR HIGHER
33 by the Maryland Addiction Counselor Certification Board, ANOTHER STATE, THE
34 CERTIFICATION COMMISSION OF THE NATIONAL ASSOCIATION OF ALCOHOLISM
35 AND DRUG ABUSE COUNSELORS, OR THE INTERNATIONAL CERTIFICATION
36 RECIPROCITY CONSORTIUM, OR IS EMPLOYED IN THE CAPACITY OF A PROGRAM
37 SPECIALIST I, II, III, OR ITS EQUIVALENT, OR HIGHER, IF THE PERSON IS EMPLOYED
38 BY THE STATE, A POLITICAL SUBDIVISION OF THE STATE, OR AN ENTITY THAT
39 PROVIDES ALCOHOL AND DRUG COUNSELING SERVICES UNDER CONTRACT WITH
40 THE STATE OR A POLITICAL SUBDIVISION OF THE STATE; AND

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1 (iv) Has completed not less than 3 years with a minimum of 3,000 hours
 2 of supervised experience in alcohol and drug abuse counseling approved by the Board, 2
 3 years of which shall have been completed after the award of the master's or doctoral
 4 degree ~~}; and~~

5 (v) Has, by July 1, 2001, successfully passed an examination approved
 6 by the Board~~};~~

7 (2) The Board shall waive the requirements for certification as a certified
 8 associate counselor-alcohol and drug for any person who has filed a letter of intent with
 9 the Board by July 1, [1997] 1998 if:

10 (i) ~~{~~The person holds a bachelor's degree in a health or human
 11 services counseling field or has completed a program that the Board determines to be
 12 substantially equivalent in subject matter and extent of training to a bachelor's degree in
 13 a health or human services counseling field;

14 (ii)~~}~~ The person, as of July 1, [1996] 1997, is certified as a certified
 15 chemical dependency counselor [or certified clinical supervisor], ITS EQUIVALENT, OR
 16 HIGHER, by the Maryland Addiction Counselor Certification Board, ANOTHER STATE,
 17 THE CERTIFICATION COMMISSION OF THE NATIONAL ASSOCIATION OF
 18 ALCOHOLISM AND DRUG ABUSE COUNSELORS, OR THE INTERNATIONAL
 19 CERTIFICATION RECIPROCITY CONSORTIUM, or is employed in the capacity of a
 20 Program Specialist I, II, [or] III, or its equivalent, OR HIGHER, if the person is employed
 21 by the State, a political subdivision of the State, or an entity that provides alcohol and
 22 drug counseling services under contract with the State or a political subdivision of the
 23 State; and

24 [(iii)] (II) The person has completed not less than 3 years with a
 25 minimum of 3,000 hours of supervised experience in alcohol and drug abuse counseling
 26 approved by the Board ~~{~~, 2 years of which shall have been completed after the award of
 27 the bachelor's degree OR A PROGRAM THAT THE BOARD DETERMINES TO BE
 28 SUBSTANTIALLY EQUIVALENT IN SUBJECT MATTER AND EXTENT OF TRAINING~~};~~

29 (3) The Board shall waive the requirements for certification as a certified
 30 supervised counselor-alcohol and drug for any person who has filed a letter of intent with
 31 the Board by July 1, [1997] 1998 if ~~{~~:

32 (i) The person holds an associate's degree in health or human services
 33 counseling or has completed a program that the Board determines to be substantially
 34 equivalent in subject matter and extent of training to an associate's degree in health or
 35 human services counseling; or

36 (ii) The~~}~~ THE person, AS OF JULY 1, 1997, is certified as a certified
 37 alcoholism counselor [or], certified drug counselor, OR HIGHER, by the Maryland
 38 Addiction Counselor Certification Board, ANOTHER STATE, THE CERTIFICATION
 39 COMMISSION OF THE NATIONAL ASSOCIATION OF ALCOHOLISM AND DRUG ABUSE
 40 COUNSELORS, OR THE INTERNATIONAL CERTIFICATION RECIPROCITY
 41 CONSORTIUM, or is employed in the capacity of an Addiction Counselor II or III, or its
 42 equivalent, OR HIGHER, if the person is employed by the State, a political subdivision of

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1 the State, or an entity that provides alcohol and drug counseling services under contract
2 with the State or a political subdivision of the State.

3 **Chapter 577 of the Acts of 1996**

4 SECTION 2. AND BE IT FURTHER ENACTED, That, notwithstanding whether
5 the services are provided within the scope of practice of a certified professional
6 [counselor-drug and alcohol therapist] COUNSELOR-ALCOHOL AND DRUG, a certified
7 [counselor-drug and alcohol therapist] ASSOCIATE COUNSELOR-ALCOHOL AND
8 DRUG, or a certified [associate counselor-drug and alcohol therapist] SUPERVISED
9 COUNSELOR-ALCOHOL AND DRUG, nothing in this Act may be construed to require a
10 nonprofit health service plan, insurer, health maintenance organization, or person acting
11 as a third party administrator to reimburse a certified professional [counselor-drug and
12 alcohol therapist] COUNSELOR-ALCOHOL AND DRUG, a certified [counselor-drug and
13 alcohol therapist] SUPERVISED COUNSELOR-ALCOHOL AND DRUG, or a certified
14 associate [counselor-drug and alcohol therapist] COUNSELOR-ALCOHOL AND DRUG.

15 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
16 ~~October~~ June 1, 1997.