

SENATE BILL 71

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2001 Regular Session  
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(PRE-FILED)

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By: **Chairman, Economic and Environmental Affairs Committee**  
**(Departmental - Health and Mental Hygiene)**

Requested: November 14, 2000

Introduced and read first time: January 10, 2001

Assigned to: Economic and Environmental Affairs

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A BILL ENTITLED

1 AN ACT concerning

2 **Alcohol and Drug Administration - Certification and Licensure**  
3 **Requirements - Alcohol and Drug Counseling**

4 FOR the purpose of altering certain waiver provisions that apply to certification as a  
5 certified professional counselor-alcohol and drug, a certified associate  
6 counselor-alcohol and drug, or a certified supervised counselor-alcohol and  
7 drug; authorizing an individual to work as a trainee under certain  
8 circumstances; clarifying certain provisions relating to prohibited acts related to  
9 the practice of alcohol and drug counseling and clinical alcohol and drug  
10 counseling; and generally relating to the practice of alcohol and drug counseling  
11 and clinical alcohol and drug counseling.

12 BY adding to

13 Article - Health Occupations  
14 Section 17-301(d)  
15 Annotated Code of Maryland  
16 (2000 Replacement Volume)

17 BY repealing and reenacting, with amendments,

18 Article - Health Occupations  
19 Section 17-306(c) and 17-3A-11(a)  
20 Annotated Code of Maryland  
21 (2000 Replacement Volume)

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

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**Article - Health Occupations**

2 17-301.

3 (D) (1) AN INDIVIDUAL MAY PRACTICE ALCOHOL AND DRUG COUNSELING  
4 WITHOUT CERTIFICATION FOR A LIMITED PERIOD OF TIME, AS DETERMINED BY THE  
5 BOARD, IF THE INDIVIDUAL IS WORKING AS A TRAINEE UNDER THE SUPERVISION OF  
6 A CERTIFIED PROFESSIONAL COUNSELOR-ALCOHOL AND DRUG, A LICENSED  
7 CLINICAL ALCOHOL AND DRUG COUNSELOR, OR ANOTHER HEALTH CARE PROVIDER  
8 LICENSED UNDER THIS ARTICLE AND APPROVED BY THE BOARD WHILE FULFILLING  
9 THE EXPERIENTIAL OR COURSE OF STUDY REQUIREMENTS UNDER § 17-302.3, §  
10 17-302.4, § 17-302.5, OR § 17-3A-02 OF THIS TITLE.

11 (2) AN INDIVIDUAL MAY PRACTICE CLINICAL ALCOHOL AND DRUG  
12 COUNSELING WITHOUT A LICENSE FOR A LIMITED PERIOD OF TIME, AS DETERMINED  
13 BY THE BOARD, IF THE INDIVIDUAL IS WORKING AS A TRAINEE UNDER THE  
14 SUPERVISION OF A LICENSED CLINICAL ALCOHOL AND DRUG COUNSELOR OR  
15 ANOTHER HEALTH CARE PROVIDER CERTIFIED OR LICENSED UNDER THIS ARTICLE  
16 AND APPROVED BY THE BOARD WHILE FULFILLING THE EXPERIENTIAL OR COURSE  
17 OF STUDY REQUIREMENTS UNDER § 17-302.3, § 17-302.4, § 17-302.5, OR § 17-3A-02 OF  
18 THIS TITLE.

19 17-306.

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

23 (i) Has filed a letter of intent with the Board by [July 1, 1998]  
24 OCTOBER 1, 2001;

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

29 (iii) As of July 1, [1997] 2001, is certified as a certified chemical  
30 dependency counselor, its equivalent, or higher by the Maryland Addiction Counselor  
31 Certification Board, another state, the Certification Commission of the National  
32 Association of Alcoholism and Drug Abuse Counselors, or the International  
33 Certification Reciprocity Consortium, or is employed in the capacity of a Program  
34 Specialist I, II, III, or its equivalent, or higher, [if the person is employed by the  
35 State, a political subdivision of the State, or an entity that provides alcohol and drug  
36 counseling services under contract with the State or a political subdivision of the  
37 State] IN AN AGENCY OR FACILITY ACCREDITED BY THE JOINT COMMISSION ON  
38 ACCREDITATION OF HEALTH CARE ORGANIZATIONS OR CERTIFIED UNDER TITLE 8,  
39 SUBTITLE 4 OF THE HEALTH - GENERAL ARTICLE;

40 (iv) Has completed not less than 3 years with a minimum of 3,000  
41 hours of supervised experience in alcohol and drug abuse counseling approved by the

1 Board, 2 years of which shall have been completed after the award of the master's or  
2 doctoral degree; and

3 (v) Has, by [July] OCTOBER 1, 2001, successfully passed an  
4 examination approved by the Board.

5 (2) The Board shall waive the requirements for certification as a  
6 certified associate counselor-alcohol and drug for any person who has filed a letter of  
7 intent with the Board by [July 1, 1998] OCTOBER 1, 2001 if:

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

12 (ii) The person, as of July 1, [1997] 2001, is certified as a certified  
13 chemical dependency counselor, its equivalent, or higher, by the Maryland Addiction  
14 Counselor Certification Board, another state, the Certification Commission of the  
15 National Association of Alcoholism and Drug Abuse Counselors, or the International  
16 Certification Reciprocity Consortium, or is employed in the capacity of a Program  
17 Specialist I, II, III, or its equivalent, or higher, [if the person is employed by the  
18 State, a political subdivision of the State, or an entity that provides alcohol and drug  
19 counseling services under contract with the State or a political subdivision of the  
20 State] IN AN AGENCY OR FACILITY ACCREDITED BY THE JOINT COMMISSION ON  
21 ACCREDITATION OF HEALTH CARE ORGANIZATIONS OR CERTIFIED UNDER TITLE 8,  
22 SUBTITLE 4 OF THE HEALTH - GENERAL ARTICLE; and

23 (iii) The person has completed not less than 3 years with a  
24 minimum of 3,000 hours of supervised experience in alcohol and drug abuse  
25 counseling approved by the Board, 2 years of which shall have been completed after  
26 the award of the bachelor's degree or a program that the Board determines to be  
27 substantially equivalent in subject matter and extent of training.

28 (3) The Board shall waive the requirements for certification as a  
29 certified supervised counselor-alcohol and drug for any person who has filed a letter  
30 of intent with the Board by [July 1, 1998] OCTOBER 1, 2001 if:

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

35 (ii) The person, as of July 1, [1997] 2001, is certified as a certified  
36 alcoholism counselor, certified drug counselor, or higher, by the Maryland Addiction  
37 Counselor Certification Board, another state, the Certification Commission of the  
38 National Association of Alcoholism and Drug Abuse Counselors, or the International  
39 Certification Reciprocity Consortium, or is employed in the capacity of an Addiction  
40 Counselor II or III, or its equivalent, or higher, [if the person is employed by the  
41 State, a political subdivision of the State, or an entity that provides alcohol and drug  
42 counseling services under contract with the State or a political subdivision of the

1 State] IN AN AGENCY OR FACILITY ACCREDITED BY THE JOINT COMMISSION ON  
2 ACCREDITATION OF HEALTH CARE ORGANIZATIONS OR CERTIFIED UNDER TITLE 8,  
3 SUBTITLE 4 OF THE HEALTH - GENERAL ARTICLE.

4 17-3A-11.

5 (a) (1) Except as otherwise provided in paragraph (2) of this subsection, an  
6 individual may not practice, attempt to practice, or offer to practice clinical alcohol  
7 and drug counseling, clinical marriage and family therapy, or clinical professional  
8 counseling in the State unless licensed by the Board.

9 (2) Subject to the rules and regulations of the Board, paragraph (1) of  
10 this subsection does not apply to:

11 (i) A student working under the supervision of a licensed mental  
12 health care provider while pursuing a supervised course of study in counseling that  
13 the Board approves as qualifying training and experience under this title; [or]

14 (ii) An individual with a graduate degree in counseling or a related  
15 field who is working under the supervision of a mental health care provider duly  
16 licensed under this article for the purpose of qualifying for a license under this title;  
17 OR

18 (III) AN INDIVIDUAL WHO, IN ACCORDANCE WITH § 17-301(D) OF  
19 THIS TITLE, IS WORKING AS A TRAINEE UNDER THE SUPERVISION OF A LICENSED  
20 CLINICAL ALCOHOL AND DRUG COUNSELOR OR ANOTHER HEALTH CARE PROVIDER  
21 CERTIFIED OR LICENSED UNDER THIS ARTICLE AND APPROVED BY THE BOARD  
22 WHILE FULFILLING THE EXPERIENTIAL OR COURSE OF STUDY REQUIREMENTS  
23 UNDER § 17-302.3, § 17-302.4, § 17-302.5, OR § 17-3A-02 OF THIS TITLE.

24 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect  
25 July 1, 2001.