

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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Committee Report: Favorable

Senate action: Adopted

Read second time: February 7, 2001

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CHAPTER \_\_\_\_\_

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)

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

3 **Article - Health Occupations**

4 17-301.

5 (D) (1) AN INDIVIDUAL MAY PRACTICE ALCOHOL AND DRUG COUNSELING  
6 WITHOUT CERTIFICATION FOR A LIMITED PERIOD OF TIME, AS DETERMINED BY THE  
7 BOARD, IF THE INDIVIDUAL IS WORKING AS A TRAINEE UNDER THE SUPERVISION OF  
8 A CERTIFIED PROFESSIONAL COUNSELOR-ALCOHOL AND DRUG, A LICENSED  
9 CLINICAL ALCOHOL AND DRUG COUNSELOR, OR ANOTHER HEALTH CARE PROVIDER  
10 LICENSED UNDER THIS ARTICLE AND APPROVED BY THE BOARD WHILE FULFILLING  
11 THE EXPERIENTIAL OR COURSE OF STUDY REQUIREMENTS UNDER § 17-302.3, §  
12 17-302.4, § 17-302.5, OR § 17-3A-02 OF THIS TITLE.

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

21 17-306.

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

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

27 (ii) Holds a master's or doctoral degree in a health and human  
28 services 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  
30 doctoral degree in a health and human services counseling field;

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

1 ACCREDITATION OF HEALTH CARE ORGANIZATIONS OR CERTIFIED UNDER TITLE 8,  
2 SUBTITLE 4 OF THE HEALTH - GENERAL ARTICLE;

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

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

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

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

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

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

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

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

39 (ii) The person, as of July 1, [1997] 2001, is certified as a certified  
40 alcoholism counselor, certified drug counselor, or higher, by the Maryland Addiction  
41 Counselor Certification Board, another state, the Certification Commission of the

1 National Association of Alcoholism and Drug Abuse Counselors, or the International  
2 Certification Reciprocity Consortium, or is employed in the capacity of an Addiction  
3 Counselor II or III, or its equivalent, or higher, [if the person is employed by the  
4 State, a political subdivision of the State, or an entity that provides alcohol and drug  
5 counseling services under contract with the State or a political subdivision of the  
6 State] IN AN AGENCY OR FACILITY ACCREDITED BY THE JOINT COMMISSION ON  
7 ACCREDITATION OF HEALTH CARE ORGANIZATIONS OR CERTIFIED UNDER TITLE 8,  
8 SUBTITLE 4 OF THE HEALTH - GENERAL ARTICLE.

9 17-3A-11.

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

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

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

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

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

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