

Chapter 368

(Senate Bill 575)

AN ACT concerning

Health Occupations – Alcohol and Drug Counselors – Qualifications and Practice Limitations

FOR the purpose of altering the qualifications individuals are required to meet to be licensed to practice clinical alcohol and drug counseling, to qualify to practice as a licensed graduate alcohol and drug counselor under supervision for a limited period of time, to qualify as a certified associate counselor–alcohol and drug, or to qualify as a certified supervised counselor–alcohol and drug; requiring a certified associate counselor–alcohol and drug to practice under the supervision of a Board–approved alcohol and drug supervisor who meets certain requirements; providing that a certified associate counselor–alcohol and drug may only provide counseling as an employee of a certain agency or facility and under the supervision of a certain supervisor; prohibiting a certified associate counselor–alcohol and drug from practicing independently; requiring a certified supervised counselor–alcohol and drug to practice under the supervision of a Board–approved alcohol and drug supervisor who meets certain requirements; providing that a certified supervised counselor–alcohol and drug may only provide counseling as an employee of a certain agency or facility and under the supervision of a certain supervisor; prohibiting a certified supervised counselor–alcohol and drug from providing supervision or practicing independently; making conforming and clarifying changes; and generally relating to qualifications for and practice of alcohol and drug counselors.

BY repealing and reenacting, with amendments,

Article – Health Occupations

Section 17–302, 17–309(a) and (c), 17–403, and 17–404

Annotated Code of Maryland

(2014 Replacement Volume)

BY repealing and reenacting, without amendments,

Article – Health Occupations

Section 17–309(b)

Annotated Code of Maryland

(2014 Replacement Volume)

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

Article – Health Occupations

17–302.

(a) To qualify for a license to practice clinical alcohol and drug counseling, an applicant shall be an individual who meets the requirements of this section.

(b) The applicant shall be of good moral character.

(c) The applicant shall be at least 18 years old.

(d) (1) Except as provided in § 17–305 of this subtitle, the applicant shall **AT A MINIMUM:**

(i) Hold a master's or doctoral degree in a health and human services counseling field from **[an] A REGIONALLY** accredited educational institution that is approved by the Board; or

(ii) **[Have] HOLD A MASTER'S DEGREE FROM A REGIONALLY ACCREDITED EDUCATIONAL INSTITUTION AND HAVE** completed a program of studies judged by the Board to be substantially equivalent in subject matter **[and extent of training]** as required under this section.

(2) **[(i)]** In the case of an applicant holding a doctoral degree, the applicant shall have completed a minimum of 90 graduate credit hours approved by the Board.

(ii) In the case of an applicant holding only a master's degree, **the]** **THE** applicant shall have completed a minimum of 60 **[graduate] SEMESTER** credit hours **OR 90 QUARTER CREDIT HOURS** approved by the Board.

(3) The applicant shall have completed a minimum of **[26] ~~36~~ 39** SEMESTER credit hours **OR ~~60~~ 65** QUARTER CREDIT HOURS in alcohol and drug counselor training, including:

(I) A 3 SEMESTER CREDIT HOUR OR 5 QUARTER CREDIT HOUR COURSE TAKEN AT A REGIONALLY ACCREDITED EDUCATIONAL INSTITUTION IN EACH OF THE FOLLOWING:

[(i)] 1. Medical aspects of chemical dependency;

[(ii)] 2. Group counseling;

[(iii)] 3. Individual counseling;

[(iv)] 4. Family counseling;

[(v)] **5. [Assessment and treatment planning] ADDICTIONS TREATMENT DELIVERY;**

[(vi)] **6. Ethics [for alcohol and drug counselors] THAT INCLUDES ALCOHOL AND DRUG COUNSELING ISSUES;**

[(vii)] **7. Human development;**

[(viii)] **8. Abnormal psychology; [and]**

9. THEORIES OF COUNSELING;

10. TREATMENT OF CO-OCCURRING DISORDERS; AND

[(ix) Courses pertaining to counselor core functions of screening, intake, orientation, case management, crisis intervention, education and prevention, referral, consultation, reports and record keeping, and special alcohol and drug dependency topics]

11. TOPICS IN SUBSTANCE-RELATED AND ADDICTIVE DISORDERS; AND

(II) AN INTERNSHIP IN ALCOHOL AND DRUG COUNSELING THAT TOTALS 6 SEMESTER CREDIT HOURS OR 10 QUARTER CREDIT HOURS.

(e) The applicant shall [have]:

(1) HAVE completed not less than [3] **2** years with a minimum of 2,000 hours of supervised experience in alcohol and drug counseling [approved by the Board, 2 years of], which shall have been completed after the award of the master's or doctoral degree [or its substantial equivalent]; **AND**

(2) PROVIDE DOCUMENTATION AS REQUIRED BY THE BOARD EVIDENCING THE COMPLETION OF THE POSTGRADUATE EXPERIENCE REQUIRED UNDER ITEM (1) OF THIS SUBSECTION.

(f) The applicant shall provide documentation to the Board evidencing the completion of 60 hours of graduate course work, completed at [an] **A REGIONALLY** accredited [college or university] **EDUCATIONAL INSTITUTION** approved by the Board that included training in:

(1) Personality development;

(2) Diagnosis and treatment of mental and emotional disorders;

- (3) Psychopathology; and
- (4) Psychotherapy [in alcohol and drug disorders].

[(g) The applicant shall provide documentation evidencing the completion of 2 years of postgraduate supervised clinical experience as required by the Board.]

[(h)] **(G)** Except as otherwise provided in this title, the applicant shall pass [an]:

(1) AN examination approved by the Board; AND

(2) THE LAW EXAMINATION ON THIS TITLE ADMINISTERED BY THE BOARD.

17-309.

(a) The Board may adopt regulations to allow an individual to practice under **CLINICAL** supervision as a licensed graduate alcohol and drug counselor, a licensed graduate marriage and family therapist, a licensed graduate professional counselor, or a licensed graduate professional art therapist.

(b) To qualify to practice as a licensed graduate alcohol and drug counselor, a licensed graduate marriage and family therapist, a licensed graduate professional counselor, or a licensed graduate professional art therapist, an individual shall be:

- (1) Of good moral character; and
- (2) At least 18 years old.

(c) An individual may practice graduate alcohol and drug counseling under supervision for a limited period of time if the individual has:

(1) **[A] AT A MINIMUM, A** master's or doctoral degree in a health and human services counseling field [that meets the educational requirements of § 17-302 of this subtitle] **FROM A REGIONALLY ACCREDITED EDUCATIONAL INSTITUTION; [and]**

(2) A MINIMUM OF ~~48~~ 27 SEMESTER CREDIT HOURS OR ~~72~~ ~~18~~ 41 QUARTER CREDIT HOURS IN ALCOHOL AND DRUG COUNSELOR TRAINING, INCLUDING:

(I) A 3 SEMESTER CREDIT HOUR OR 5 QUARTER CREDIT HOUR COURSE TAKEN AT A REGIONALLY ACCREDITED EDUCATIONAL INSTITUTION IN EACH OF THE FOLLOWING:

- 1. **MEDICAL ASPECTS OF CHEMICAL DEPENDENCY;**
- 2. **ADDICTIONS TREATMENT DELIVERY;**
- 3. **ETHICS THAT INCLUDES ALCOHOL AND DRUG COUNSELING ISSUES;**
- 4. **ABNORMAL PSYCHOLOGY;**
- 5. **GROUP COUNSELING; AND**
- 6. **INDIVIDUAL COUNSELING; AND**

(II) ANY THREE OF THE FOLLOWING 3 SEMESTER CREDIT HOUR OR 5 QUARTER CREDIT HOUR COURSES TAKEN AT A REGIONALLY ACCREDITED EDUCATIONAL INSTITUTION:

- 1. **FAMILY COUNSELING;**
- 2. **THEORIES OF COUNSELING;**
- 3. **HUMAN DEVELOPMENT;**
- 4. **TOPICS IN SUBSTANCE-RELATED AND ADDICTIVE DISORDERS; AND**
- 5. **TREATMENT OF CO-OCCURRING DISORDERS; AND**

[(2)] (3) Passed [the National Alcohol and Drug Counselor Examination]:

(I) A NATIONAL ALCOHOL AND DRUG COUNSELOR EXAMINATION approved by the Board; AND

(II) THE LAW EXAMINATION ON THIS TITLE ADMINISTERED BY THE BOARD.

17-403.

(a) Except as provided in § 17-405 of this subtitle, to qualify as a certified associate counselor-alcohol and drug, an applicant shall:

- (1) **BE OF GOOD MORAL CHARACTER;**
- (2) **AT A MINIMUM:**

(I) Hold a bachelor's degree from **[an] A REGIONALLY** accredited educational institution approved by the Board in a health and human services counseling field; or

(II) HOLD A BACHELOR'S DEGREE FROM A REGIONALLY ACCREDITED EDUCATIONAL INSTITUTION AND have completed a program of studies judged by the Board to be substantially equivalent in subject matter **[and extent of training to such a program of studies];**

[(2)] (3) Have completed not less than **[3 years,] 1 YEAR** with a minimum of 2,000 hours of clinically supervised experience in alcohol and drug counseling approved by the Board, **[2 years of which shall have been completed after the award of the bachelor's degree]; AND**

[(3)] (4) Have a minimum of **[21] 33 SEMESTER** credit hours **OR 50 QUARTER CREDIT HOURS** in alcohol and drug counselor training, including **[instruction in];**

(I) A 3 SEMESTER CREDIT HOUR OR 5 QUARTER CREDIT HOUR COURSE TAKEN AT A REGIONALLY ACCREDITED EDUCATIONAL INSTITUTION IN EACH OF THE FOLLOWING:

[(i)] 1. Medical aspects of chemical dependency;

2. ADDICTIONS TREATMENT DELIVERY;

[(ii)] 3. Group counseling;

[(iii)] 4. Individual counseling;

[(iv)] 5. Family counseling;

(v) Assessment and treatment planning;

[(vi)] 5. Ethics **[for alcohol and drug counselors] THAT INCLUDES ALCOHOL AND DRUG COUNSELING ISSUES; AND**

[(vii)] Human development;

[(viii)] 6. Abnormal psychology; and

(II) ANY THREE OF THE FOLLOWING 3 SEMESTER CREDIT HOUR OR 5 QUARTER CREDIT HOUR COURSES TAKEN AT A REGIONALLY ACCREDITED EDUCATIONAL INSTITUTION:

1. FAMILY COUNSELING;
2. THEORIES OF COUNSELING;
3. HUMAN DEVELOPMENT;
4. TOPICS IN SUBSTANCE-RELATED AND ADDICTIVE DISORDERS; AND
5. TREATMENT OF CO-OCCURRING DISORDERS; AND

(III) AN INTERNSHIP IN ALCOHOL AND DRUG COUNSELING THAT TOTALS 6 SEMESTER CREDIT HOURS OR 10 QUARTER CREDIT HOURS.

[(ix) Courses pertaining to counselor core functions of screening, intake, orientation, case management, crisis intervention, education and prevention, referral, consultation, reports and record keeping, and special alcohol and drug dependency topics; and

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

(ii) Provide alcohol and drug counseling as an employee of an agency or facility that is accredited by the Joint Commission on Accreditation of Healthcare Organizations or that is certified under Title 8, Subtitle 4 of the Health – General Article.]

(b) Except as otherwise provided in this title, the applicant shall pass [an]:

- (1) AN examination approved by the Board under this title; AND
- (2) THE LAW EXAMINATION ON THIS TITLE ADMINISTERED BY THE BOARD.

(c) A CERTIFIED ASSOCIATE COUNSELOR-ALCOHOL AND DRUG SHALL PRACTICE ALCOHOL AND DRUG COUNSELING UNDER THE SUPERVISION OF A BOARD-APPROVED ALCOHOL AND DRUG SUPERVISOR WHO IS:

- (1) A LICENSED CLINICAL ALCOHOL AND DRUG COUNSELOR;
- (2) A CERTIFIED PROFESSIONAL COUNSELOR-ALCOHOL AND DRUG;
- (3) A LICENSED CLINICAL PROFESSIONAL COUNSELOR;

- (4) A LICENSED CLINICAL MARRIAGE AND FAMILY THERAPIST;**
 - (5) A LICENSED CLINICAL PROFESSIONAL ART THERAPIST; OR**
 - (6) A HEALTH CARE PROVIDER LICENSED UNDER THIS ARTICLE WITH DOCUMENTED EXPERTISE IN ALCOHOL AND DRUG COUNSELING.**
- (D) A CERTIFIED ASSOCIATE COUNSELOR–ALCOHOL AND DRUG:**
- (1) MAY PROVIDE ONLY:**
 - (I) ALCOHOL AND DRUG COUNSELING AS AN EMPLOYEE OF AN AGENCY OR A FACILITY THAT IS CERTIFIED OR LICENSED BY THE STATE;**
 - (II) ALCOHOL AND DRUG COUNSELING UNDER THE SUPERVISION OF A BOARD–APPROVED SUPERVISOR AS SPECIFIED IN SUBSECTION (C) OF THIS SECTION; AND**
 - (III) SUPERVISION WITH APPROVAL BY THE BOARD; AND**
 - (2) MAY NOT PRACTICE INDEPENDENTLY.**

17–404.

- (a) To qualify as a certified supervised counselor–alcohol and drug, an applicant shall:
- (1) BE OF GOOD MORAL CHARACTER;**
 - (2) AT A MINIMUM:**
 - (I) Hold an associate’s degree FROM A REGIONALLY ACCREDITED EDUCATIONAL INSTITUTION in a health and human services counseling field; or**
 - (II) HOLD AN ASSOCIATE’S DEGREE FROM A REGIONALLY ACCREDITED EDUCATIONAL INSTITUTION AND have completed a program of studies judged by the Board to be substantially equivalent in subject matter [to such a program of studies]; AND**
- [(2) Have completed not less than 2 years, with a minimum of 2,000 hours of clinically supervised experience in alcohol and drug counseling approved by the Board, 1 year of which shall have been completed after the award of the associate’s degree;]**

(3) Have a minimum of [15] **24 SEMESTER** credit hours [in alcohol and drug counselor training.] **OR 37 QUARTER CREDIT HOURS** including [instruction in]:

(I) A 3 SEMESTER CREDIT HOUR OR 5 QUARTER CREDIT HOUR COURSE TAKEN AT A REGIONALLY ACCREDITED EDUCATIONAL INSTITUTION IN EACH OF THE FOLLOWING COURSES:

- [(i)] 1. Medical aspects of chemical dependency;**
- 2. ADDICTIONS TREATMENT DELIVERY; AND**

[(ii)] Group counseling;

(iii) Individual counseling;

(iv) Family counseling;

(v) Assessment and treatment planning;

(vi) 3. Ethics [for alcohol and drug counselors] THAT INCLUDES ALCOHOL AND DRUG COUNSELING ISSUES;

[(vii)] Human development;

(viii) Abnormal psychology; and]

(II) ANY THREE OF THE FOLLOWING 3 SEMESTER CREDIT HOUR OR 5 QUARTER CREDIT HOUR COURSES TAKEN AT A REGIONALLY ACCREDITED EDUCATIONAL INSTITUTION:

- 1. GROUP COUNSELING;**
- 2. INDIVIDUAL COUNSELING;**
- 3. FAMILY COUNSELING;**
- 4. THEORIES OF COUNSELING;**
- 5. HUMAN DEVELOPMENT;**
- 6. ABNORMAL PSYCHOLOGY;**
- 7. TOPICS IN SUBSTANCE-RELATED AND ADDICTIVE**

DISORDERS; AND

8. TREATMENT OF CO-OCCURRING DISORDERS; AND

(III) AN INTERNSHIP IN ALCOHOL AND DRUG COUNSELING THAT TOTALS 6 SEMESTER CREDIT HOURS OR 10 QUARTER CREDIT HOURS.

[(ix) Courses pertaining to counselor core functions of screening, intake, orientation, case management, crisis intervention, education and prevention, referral, consultation, reports and record keeping, and special alcohol and drug dependency topics; and

(4) Practice alcohol and drug counseling under the supervision of a certified professional counselor–alcohol and drug or another health care provider approved by the Board and provide alcohol and drug counseling as an employee of an agency or facility that is accredited by the Joint Commission on Accreditation of Healthcare Organizations or that is certified under Title 8, Subtitle 4 of the Health – General Article.]

(b) Except as otherwise provided in this title, the applicant shall pass [an]:

(1) AN examination approved by the Board under this title; AND

(2) THE LAW EXAMINATION ON THIS TITLE ADMINISTERED BY THE BOARD.

(c) A CERTIFIED SUPERVISED COUNSELOR–ALCOHOL AND DRUG SHALL PRACTICE ALCOHOL AND DRUG COUNSELING UNDER THE SUPERVISION OF A BOARD–APPROVED ALCOHOL AND DRUG SUPERVISOR WHO IS:

(1) A LICENSED CLINICAL ALCOHOL AND DRUG COUNSELOR;

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

(3) A CERTIFIED ASSOCIATE COUNSELOR–ALCOHOL AND DRUG;

(4) A LICENSED CLINICAL PROFESSIONAL COUNSELOR;

(5) A LICENSED CLINICAL MARRIAGE AND FAMILY THERAPIST;

(6) A LICENSED CLINICAL PROFESSIONAL ART THERAPIST; OR

(7) A HEALTH CARE PROVIDER LICENSED UNDER THIS ARTICLE WITH DOCUMENTED EXPERTISE IN ALCOHOL AND DRUG COUNSELING.

(d) A CERTIFIED SUPERVISED COUNSELOR–ALCOHOL AND DRUG:

(1) MAY PROVIDE ONLY:

(I) ALCOHOL AND DRUG COUNSELING AS AN EMPLOYEE OF AN AGENCY OR FACILITY THAT IS CERTIFIED OR LICENSED BY THE STATE; AND

(II) ALCOHOL AND DRUG COUNSELING UNDER THE SUPERVISION OF A BOARD-APPROVED SUPERVISOR AS SPECIFIED IN SUBSECTION (C) OF THIS SECTION; AND

(2) MAY NOT:

(I) PROVIDE SUPERVISION; OR

(II) PRACTICE INDEPENDENTLY.

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect October 1, 2015.

Approved by the Governor, May 12, 2015.