

Department of Legislative Services
Maryland General Assembly
2018 Session

FISCAL AND POLICY NOTE
First Reader

House Bill 248 (Chair, Health and Government Operations
Committee)(By Request - Departmental - Health)

Health and Government Operations

**Health Occupations - Certified Associate Counselors-Alcohol and Drug and
Certified Supervised Counselors-Alcohol and Drug - Qualifications**

This emergency departmental bill authorizes an applicant for the certified associate counselor-alcohol and drug (CAC-AD) credential or the certified supervised counselor-alcohol and drug (CSC-AD) credential to substitute supervised work experience, as specified in regulation, in lieu of satisfying the required internship in alcohol and drug counseling.

Fiscal Summary

State Effect: Any additional workload on the State Board of Professional Counselors and Therapists can be handled using existing budgeted resources. Revenues are not affected.

Local Effect: The bill does not affect local governmental operations or finances.

Small Business Effect: The Maryland Department of Health has determined that this bill has minimal or no impact on small business (attached). The Department of Legislative Services concurs with this assessment.

Analysis

Current Law:

Certified Associate Counselor-Alcohol and Drug

A CAC-AD may not practice independently and must only practice under the supervision of specified board-approved alcohol and drug supervisors. Further, a CAC-AD may only provide alcohol and drug counseling as an employee of a State-certified or licensed agency or facility. A CAC-AD may provide supervision only with the board's approval. To qualify as a CAC-AD, an applicant must:

- be of good moral character;
- either hold a bachelor's degree in a health and human services counseling field or hold a bachelor's degree having completed a program of studies judged by the board to be substantially equivalent in subject matter;
- have one year of clinically supervised experience in alcohol and drug counseling and a minimum of 2,000 hours of clinically supervised experience;
- have a minimum of 33 semester credit hours (or 50 quarter credit hours) in alcohol and drug counselor training, including specified courses, and an internship in alcohol and drug counseling totaling 6 semester credit hours (or 10 quarter credit hours); and
- pass a board-approved examination and the law examination administered by the board.

Certified Supervised Counselor-Alcohol and Drug

A CSC-AD may not provide supervision or practice independently and must only practice under the supervision of specified board-approved alcohol and drug supervisors. Further, a CSC-AD may only provide alcohol and drug counseling as an employee of a State-certified or licensed agency or facility. To qualify as a CSC-AD, an applicant must:

- be of good moral character;
- either hold an associate's degree in a health and human services counseling field or hold an associate's degree having completed a program of studies judged by the board to be substantially equivalent in subject matter;
- have a minimum of 24 semester credit hours (or 37 quarter credit hours), including specified courses, and an internship in alcohol and drug counseling that totals 6 semester credit hours or 10 quarter credit hours; and
- pass a law examination administered by the board and another examination approved by the board.

Background: The State Board of Professional Counselors and Therapists licenses and certifies professional counselors, alcohol and drug counselors, marriage and family therapists, art therapists, and behavior analysts; receives and resolves complaints regarding professional counselors and therapists; and sets standards for the practice of professional counseling through regulations and legislation. The board is among approximately 70 regulatory entities and activities currently subject to periodic evaluation under the Maryland Program Evaluation Act (§ 8-401 *et seq.* of the State Government Article). The Act establishes a process better known as “sunset review” because most of the agencies subject to review are also subject to termination, including the board, which is scheduled to terminate July 1, 2019.

The Department of Legislative Services (DLS) conducted a full sunset evaluation of the board in 2017, [Sunset Review: Evaluation of the State Board of Professional Counselors and Therapists](#). This bill implements one of DLS’ recommendations from that report.

During its evaluation, DLS reported that it found numerous inefficiencies in the licensure and certification of alcohol and drug counselors and trainees. At the same time, the rate of opioid-related deaths continues to rise, and the need for licensed and certified substance use professionals has grown substantially. Provider organizations advised DLS that delays in licensure and certification have reduced the number of potential counselors entering the workforce and resulted in significant barriers to treatment access.

Chapter 368 of 2015 altered the experience requirements for CSC-ADs and CAC-ADs by repealing requirements for specified years and hours of clinically supervised experience in alcohol and drug counseling, at least some of which were required after completion of a degree program, and establishing requirements for an internship in alcohol and drug counseling that totals six semester credit hours. DLS notes that this change caused a barrier for counselors who had a degree and were already working in the field to fulfill the clinically supervised experience but who had not completed an internship. House Bill 1652 of 2017 would have allowed CSC-ADs to substitute supervised work experience as specified in regulation in lieu of satisfying the required internship; however, the bill did not pass. Since the 2017 session, the board has discussed reintroducing the legislation and adding an alternative for CAC-ADs. In light of these findings, DLS recommended that statute be amended to authorize an applicant for CSC-AD or CAC-AD to substitute supervised work experience as specified in regulation in lieu of satisfying the required internship in alcohol and drug counseling.

Additional Comments: SB 15 of 2018 and its cross file, HB 32 are identical bills.

Additional Information

Prior Introductions: Similar legislation, HB 1652 of 2017, passed the House and second reading in the Senate, but no further action was taken.

Cross File: None.

Information Source(s): Maryland Department of Health; Department of Legislative Services

Fiscal Note History: First Reader - February 7, 2018
mm/jc

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ANALYSIS OF ECONOMIC IMPACT ON SMALL BUSINESSES

**Department of Health
Session 2018**

TITLE: Health Occupations – Certified Supervised
Counselors–Alcohol and Drug – Qualifications

PREPARED BY: Linda Beyer

(Program\Unit): Health Occupations Boards and Commissions

PART A. ECONOMIC IMPACT RATING

This agency estimates that the proposed bill:

 X WILL HAVE MINIMAL OR NO ECONOMIC IMPACT ON MARYLAND
SMALL BUSINESS

OR

 WILL HAVE MEANINGFUL ECONOMIC IMPACT ON MARYLAND
SMALL BUSINESSES

PART B. ECONOMIC IMPACT ANALYSIS

The bill does not increase fees or impose any additional costs on licensees or applicants. The bill may also save some applicants for certification from having to go back to school to complete an internship. Any additional work imposed by the bill can be handled within existing resources.