

HOUSE BILL 629

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5lr1533
CF SB 575

By: **Delegates Pena–Melnik, Glenn, Gutierrez, Hayes, Kelly, Kipke, Lam, Morhaim, Oaks, B. Robinson, and M. Washington**

Introduced and read first time: February 12, 2015

Assigned to: Health and Government Operations

Committee Report: Favorable with amendments

House action: Adopted

Read second time: March 20, 2015

CHAPTER _____

1 AN ACT concerning

2 **Health Occupations – Alcohol and Drug Counselors – Qualifications and**
3 **Practice Limitations**

4 FOR the purpose of altering the qualifications individuals are required to meet to be
5 licensed to practice clinical alcohol and drug counseling, to qualify to practice as a
6 licensed graduate alcohol and drug counselor under supervision for a limited period
7 of time, to qualify as a certified associate counselor–alcohol and drug, or to qualify
8 as a certified supervised counselor–alcohol and drug; requiring a certified associate
9 counselor–alcohol and drug to practice under the supervision of a Board–approved
10 alcohol and drug supervisor who meets certain requirements; providing that a
11 certified associate counselor–alcohol and drug may only provide counseling as an
12 employee of a certain agency or facility and under the supervision of a certain
13 supervisor; prohibiting a certified associate counselor–alcohol and drug from
14 practicing independently; requiring a certified supervised counselor–alcohol and
15 drug to practice under the supervision of a Board–approved alcohol and drug
16 supervisor who meets certain requirements; providing that a certified supervised
17 counselor–alcohol and drug may only provide counseling as an employee of a certain
18 agency or facility and under the supervision of a certain supervisor; prohibiting a
19 certified supervised counselor–alcohol and drug from providing supervision or
20 practicing independently; making conforming and clarifying changes; and generally
21 relating to qualifications for and practice of alcohol and drug counselors.

22 BY repealing and reenacting, with amendments,
23 Article – Health Occupations

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.

Underlining indicates amendments to bill.

~~Strike out~~ indicates matter stricken from the bill by amendment or deleted from the law by amendment.



1 Section 17–302, 17–309(a) and (c), 17–403, and 17–404
2 Annotated Code of Maryland
3 (2014 Replacement Volume)

4 BY repealing and reenacting, without amendments,
5 Article – Health Occupations
6 Section 17–309(b)
7 Annotated Code of Maryland
8 (2014 Replacement Volume)

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

11 **Article – Health Occupations**

12 17–302.

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

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

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

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

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

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

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

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

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

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

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

8 [(ii)] 2. Group counseling;

9 [(iii)] 3. Individual counseling;

10 [(iv)] 4. Family counseling;

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

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

15 [(vii)] 7. Human development;

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

17 9. THEORIES OF COUNSELING;

18 10. TREATMENT OF CO-OCCURRING DISORDERS; AND

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

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

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

27 (e) The applicant shall [have]:

28 (1) HAVE completed not less than [3] 2 years with a minimum of 2,000
 29 hours of supervised experience in alcohol and drug counseling [approved by the Board, 2

1 years of], which shall have been completed after the award of the master's or doctoral
2 degree [or its substantial equivalent]; AND

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

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

- 10 (1) Personality development;
- 11 (2) Diagnosis and treatment of mental and emotional disorders;
- 12 (3) Psychopathology; and
- 13 (4) Psychotherapy [in alcohol and drug disorders].

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

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

- 17 (1) AN examination approved by the Board; AND
- 18 (2) THE LAW EXAMINATION ON THIS TITLE ADMINISTERED BY THE
19 BOARD.

20 17-309.

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

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

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

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

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

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

9 (i) **A 3 SEMESTER CREDIT HOUR OR 5 QUARTER CREDIT HOUR**
10 **COURSE TAKEN AT A REGIONALLY ACCREDITED EDUCATIONAL INSTITUTION IN**
11 **EACH OF THE FOLLOWING:**

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

19 (ii) **ANY THREE OF THE FOLLOWING 3 SEMESTER CREDIT HOUR**
20 **OR 5 QUARTER CREDIT HOUR COURSES TAKEN AT A REGIONALLY ACCREDITED**
21 **EDUCATIONAL INSTITUTION:**

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

28 [(2)] (3) Passed [the National Alcohol and Drug Counselor Examination]:

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

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

5 17-403.

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

8 (1) **BE OF GOOD MORAL CHARACTER;**

9 (2) **AT A MINIMUM:**

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

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

17 [(2)] **(3)** Have completed not less than [3 years,] **1 YEAR** with a minimum
 18 of 2,000 hours of clinically supervised experience in alcohol and drug counseling approved
 19 by the Board[, 2 years of which shall have been completed after the award of the bachelor's
 20 degree]; AND

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

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

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

28 **2.** **ADDICTIONS TREATMENT DELIVERY;**

29 [(ii)] **3.** Group counseling;

30 [(iii)] **4.** Individual counseling;

- 1 [(iv) Family counseling;
- 2 (v) Assessment and treatment planning;

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

- 5 [(vii) Human development;
- 6 (viii)] **6. Abnormal psychology; and**

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

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

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

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

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

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

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

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

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

3 **(C) A CERTIFIED ASSOCIATE COUNSELOR–ALCOHOL AND DRUG SHALL**
4 **PRACTICE ALCOHOL AND DRUG COUNSELING UNDER THE SUPERVISION OF A**
5 **BOARD–APPROVED ALCOHOL AND DRUG SUPERVISOR WHO IS:**

6 **(1) A LICENSED CLINICAL ALCOHOL AND DRUG COUNSELOR;**

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

8 **(3) A LICENSED CLINICAL PROFESSIONAL COUNSELOR;**

9 **(4) A LICENSED CLINICAL MARRIAGE AND FAMILY THERAPIST;**

10 **(5) A LICENSED CLINICAL PROFESSIONAL ART THERAPIST; OR**

11 **(6) A HEALTH CARE PROVIDER LICENSED UNDER THIS ARTICLE WITH**
12 **DOCUMENTED EXPERTISE IN ALCOHOL AND DRUG COUNSELING.**

13 **(D) A CERTIFIED ASSOCIATE COUNSELOR–ALCOHOL AND DRUG:**

14 **(1) MAY PROVIDE ONLY:**

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

17 **(II) ALCOHOL AND DRUG COUNSELING UNDER THE**
18 **SUPERVISION OF A BOARD–APPROVED SUPERVISOR AS SPECIFIED IN SUBSECTION**
19 **(C) OF THIS SECTION; AND**

20 **(III) SUPERVISION WITH APPROVAL BY THE BOARD; AND**

21 **(2) MAY NOT PRACTICE INDEPENDENTLY.**

22 17–404.

23 (a) To qualify as a certified supervised counselor–alcohol and drug, an applicant
24 shall:

25 **(1) BE OF GOOD MORAL CHARACTER;**

26 **(2) AT A MINIMUM:**

1 **(I)** Hold an associate's degree **FROM A REGIONALLY ACCREDITED**
2 **EDUCATIONAL INSTITUTION** in a health and human services counseling field; or

3 **(II)** **HOLD AN ASSOCIATE'S DEGREE FROM A REGIONALLY**
4 **ACCREDITED EDUCATIONAL INSTITUTION AND** have completed a program of studies
5 judged by the Board to be substantially equivalent in subject matter [to such a program of
6 studies]; **AND**

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

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

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

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

16 **2.** **ADDICTIONS TREATMENT DELIVERY; AND**

17 **[(ii)]** Group counseling;

18 **[(iii)]** Individual counseling;

19 **[(iv)]** Family counseling;

20 **[(v)]** Assessment and treatment planning;

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

23 **[(vii)]** Human development;

24 **[(viii)]** Abnormal psychology; and]

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

28 **1.** **GROUP COUNSELING;**

29 **2.** **INDIVIDUAL COUNSELING;**

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

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

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

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

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

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

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

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

26 (1) A LICENSED CLINICAL ALCOHOL AND DRUG COUNSELOR;

27 (2) A CERTIFIED PROFESSIONAL COUNSELOR-ALCOHOL AND DRUG;

28 (3) A CERTIFIED ASSOCIATE COUNSELOR-ALCOHOL AND DRUG;

- 1 **(4) A LICENSED CLINICAL PROFESSIONAL COUNSELOR;**
- 2 **(5) A LICENSED CLINICAL MARRIAGE AND FAMILY THERAPIST;**
- 3 **(6) A LICENSED CLINICAL PROFESSIONAL ART THERAPIST; OR**
- 4 **(7) A HEALTH CARE PROVIDER LICENSED UNDER THIS ARTICLE WITH**
5 **DOCUMENTED EXPERTISE IN ALCOHOL AND DRUG COUNSELING.**

6 **(D) A CERTIFIED SUPERVISED COUNSELOR—ALCOHOL AND DRUG:**

7 **(1) MAY PROVIDE ONLY:**

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

10 **(II) ALCOHOL AND DRUG COUNSELING UNDER THE**
11 **SUPERVISION OF A BOARD—APPROVED SUPERVISOR AS SPECIFIED IN SUBSECTION**
12 **(C) OF THIS SECTION; AND**

13 **(2) MAY NOT:**

14 **(I) PROVIDE SUPERVISION; OR**

15 **(II) PRACTICE INDEPENDENTLY.**

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

Approved:

Governor.

Speaker of the House of Delegates.

President of the Senate.