

## **Chapter 517**

**(Senate Bill 474)**

AN ACT concerning

### **State Board of Professional Counselors and Therapists – Certified Professional Counselor–Alcohol and Drug – Repeal**

FOR the purpose of repealing certain provisions of law relating to the requirements that must be met to qualify as a certified professional counselor–alcohol and drug; repealing a certain requirement that the State Board of Professional Counselors and Therapists grant a certain waiver to certain applicants; prohibiting the Board from placing a certified professional counselor–alcohol and drug on inactive status; prohibiting the Board from reinstating the certificate of a certified professional counselor–alcohol and drug under certain circumstances; providing that this Act may not be construed to invalidate certain certificates or to prohibit certain renewals; and generally relating to the repeal of the certified professional counselor–alcohol and drug certificate.

BY repealing

Article – Health Occupations

Section 17–402

Annotated Code of Maryland

(2009 Replacement Volume and 2011 Supplement)

BY repealing and reenacting, with amendments,

Article – Health Occupations

Section 17–405 and 17–505

Annotated Code of Maryland

(2009 Replacement Volume and 2011 Supplement)

SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND, That Section(s) 17–402 of Article – Health Occupations of the Annotated Code of Maryland be repealed.

SECTION 2. AND BE IT FURTHER ENACTED, That the Laws of Maryland read as follows:

#### **Article – Health Occupations**

17–405.

(a) The Board shall waive the requirements for certification for an applicant to practice alcohol and drug counseling if the applicant meets the requirements of this section.

**[(b)]** If the applicant is licensed or certified to practice as a professional counselor—alcohol and drug, the Board shall grant a waiver under this section only if the applicant:

(1) Is licensed or certified in another state, territory, or jurisdiction that has requirements that are equivalent to or exceed the requirements of § 17–402 of this subtitle;

(2) Submits an application to the Board on a form that the Board requires; and

(3) Pays to the Board an application fee set by the Board.

**[(c)] (B)** If the applicant is licensed or certified to practice as an associate counselor—alcohol and drug, the Board shall grant a waiver under this section only if the applicant:

(1) Is licensed or certified in another state, territory, or jurisdiction that has requirements that are equivalent to or exceed the requirements of § 17–403 of this subtitle;

(2) Submits an application to the Board on a form that the Board requires; and

(3) Pays to the Board an application fee set by the Board.

**[(d)] (C)** If the applicant is licensed or certified to practice as a supervised counselor—alcohol and drug, the Board shall grant a waiver under this section only if the applicant:

(1) Is licensed or certified in another state, territory, or jurisdiction that has requirements that are equivalent to or exceed the requirements of § 17–404 of this subtitle;

(2) Submits an application to the Board on a form that the Board requires; and

(3) Pays to the Board an application fee set by the Board.

**[(e)] (D)** The Board shall adopt regulations to carry out this section.

(a) (1) Except as provided in paragraph (3) of this subsection, the Board shall place a licensee or certificate holder on inactive status, if the licensee or certificate holder:

(i) Submits to the Board an application for inactive status on the form required by the Board; and

(ii) Pays the inactive status fee set by the Board.

(2) The Board shall issue a license or certificate to an individual who is on inactive status if the individual complies with the renewal requirements that are in effect when the individual requests the renewal of the license or certificate.

(3) The Board may not place **A CERTIFIED PROFESSIONAL COUNSELOR-ALCOHOL AND DRUG**, a certified professional counselor-marriage and family therapist, or a certified professional counselor on inactive status.

(b) (1) Except as provided in paragraph (2) of this subsection, the Board, in accordance with its regulations, may reinstate the license of a licensee or the certificate of a certificate holder who has failed to renew the license or certificate for any reason.

(2) The Board may not reinstate the certificate of **A CERTIFIED PROFESSIONAL COUNSELOR-ALCOHOL AND DRUG**, a certified professional counselor-marriage and family therapist, or certified professional counselor who has failed to renew the certificate for any reason.

**SECTION 3. AND BE IT FURTHER ENACTED**, That nothing in this Act shall be construed to invalidate a certificate issued by the State Board of Professional Counselors and Therapists to a certified professional counselor-alcohol and drug before the effective date of this Act or to prohibit the timely renewal by the Board of a valid certificate.

**SECTION 4. AND BE IT FURTHER ENACTED**, That this Act shall take effect October 1, 2012.

**Approved by the Governor, May 22, 2012.**