

HOUSE BILL 157

By Casada

AN ACT to amend Tennessee Code Annotated, Title 33,  
Chapter 10 and Title 68, Chapter 24, Part 6,  
relative to alcohol and drug abuse counselors.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Section 68-24-605(a), is amended by adding the following language at the end of the subsection:

The alcohol and drug licensure board shall establish two (2) tiers of licenses and a certification process for persons to be recognized as a certified intern of alcohol and drug abuse counseling.

SECTION 2. Tennessee Code Annotated, Title 68, Chapter 24, Part 6, is amended by adding Sections 3 through 11 of this act as new sections thereto.

SECTION 3. No person other than a licensed alcohol and drug abuse counselor or a certified intern of alcohol and drug abuse counseling under this chapter shall assume or use that title or any title, designation or abbreviation likely to create the impression of licensure or certification as an alcohol and drug abuse counselor in this state.

SECTION 4. Only a licensed alcohol and drug abuse counselor, a certified intern of alcohol and drug abuse counselor, or any other health care provider who is licensed by a health related board covering this scope of practice may provide alcohol and drug counseling services.

SECTION 5. As a requirement to applying for certification as a certified intern of alcohol and drug abuse counselor, an applicant must register with the board as an intern counselor and:

(A) Complete a total of ninety-six (96) hours of alcohol and drug abuse related training. Sixty (60) of the ninety-six (96) hours of education will be training within the twelve (12) primary core functions;

(B) Provide a certified contract of work under the supervision of an approved licensed alcohol and drug abuse counselor supervisor;

(C) Complete six (6) hours of alcohol and drug abuse professional ethics training;

(D) Have a high school diploma or its equivalent;

(E) Not have been convicted of any felony in the past five (5) years prior to application for certification.

(2) In order to maintain current certification, the intern must provide to the licensure board an annual contract with their supervisor who is a licensed alcohol and drug abuse counselor supervisor and must complete no less than fifteen (15) hours of continuing education with at least three (3) hours in alcohol and drug abuse professional ethics. These standards shall apply to an individual who is in the process of becoming a licensed alcohol and drug abuse counselor.

SECTION 6. To qualify for a level one alcohol and drug abuse counselor license, an applicant must:

(1) Have a high school diploma or its equivalent;

(2) Complete six thousand (6,000) hours of qualified supervised work experience during which the applicant performs all of the twelve (12) primary functions while providing alcohol and drug counseling services to individuals experiencing alcohol and drug abuse related problems;

(3) Complete two hundred seventy (270) hours of alcohol and drug abuse counseling training, including at least six (6) hours in alcohol and drug abuse professional ethics;

(4) Complete a written case study;

(5) Complete a written philosophy of treatment;

- (6) Pass a jurisprudence examination approved by the board;
- (7) Pass a nationally validated written examination approved by the board;
- (8) Pass an oral examination demonstrating competence in primary function areas; and
- (9) Not have been convicted of a felony in the past five (5) years prior to application for licensure.

SECTION 7. Supervision by one (1) or more licensed alcohol and drug abuse counselors approved as qualified clinical supervisors is required for a level one alcohol and drug abuse counselor. The board shall set the hours of supervision that are required pursuant to this section by rules promulgated pursuant to the Uniform Administrative Procedures Act, compiled in title 4, chapter 5.

SECTION 8. A level one alcohol and drug abuse counselor is authorized to provide alcohol and drug abuse services under clinical supervision within a treatment agency or treatment center. Such services shall include education, evaluation, diagnosis and treatment of chemical use, abuse and addiction of persons whose lives have been significantly impacted by another person's alcohol and drug abuse related problems.

SECTION 9. To qualify for a level two alcohol and drug abuse counselor license an applicant must::

- (1) Meet the requirements for a level one alcohol and drug abuse counselor;
- (2) Meet the requirements of national certified addiction counselor (NCAC) II or master addiction counselor (MAC);
- (3) Have either:
  - (A) A baccalaureate degree from an accredited postsecondary institution approved by the board with four thousand (4,000) hours of clinically supervised experience; or

(B) A master's degree from an accredited postsecondary institution approved by the board with two thousand (2,000) hours of clinically supervised experience;

(4) Have one hundred twenty-six (126) hours of alcohol and drug abuse counseling training with at least six (6) hours in alcohol and drug abuse professional ethics;

(5) Complete and pass a national certified addiction counselor (NCAC) II or master addiction counselor (MAC) written examination; and

(6) Not have been convicted of a felony in the past five (5) years prior to application for licensure.

SECTION 10. A level two alcohol and drug abuse counselor can provide alcohol and drug abuse services within a treatment agency, treatment center or in private practice. Such services shall include education, evaluation, diagnosis and treatment of chemical use, abuse, and addiction of persons whose lives have been significantly impacted by another person's alcohol and drug abuse related problems. A level two alcohol and drug abuse counselor may qualify as an approved licensed alcohol and drug abuse supervisor after such counselor has met the board's requirements for such position.

SECTION 11. On July 1, 2011, any person who is a licensed alcohol and drug abuse counselor shall be eligible to receive a license as a level two alcohol and drug abuse counselor. Any person who is a licensed alcohol and drug abuse counselor on July 1, 2011 who wishes to obtain a license as a level two alcohol and drug abuse counselor shall submit a request to the licensure board to receive the appropriate license. No additional fee shall be imposed upon persons for the issuance of a license as a level two alcohol and drug abuse counselor pursuant to this section.

SECTION 12. Tennessee Code Annotated, Section 68-24-608(a), is amended by deleting the language "Alcohol and other drug abuse counseling includes the following" and by substituting instead the following language and redesignating the existing subdivisions accordingly:

Except as permitted by § 68-24-607, alcohol and drug abuse counseling may only be practiced by persons licensed or certified under this part or by persons who are preparing for licensure or certification pursuant to this part and are under the direct supervision of a counselor licensed under this part. Alcohol and drug abuse counseling includes the following:

- (1) Screening;
- (2) Intake;
- (3) Orientation;
- (4) Assessment;
- (5) Treatment planning;
- (6) Counseling;
- (7) Case management;
- (8) Crisis intervention;
- (9) Education;
- (10) Referral;
- (11) Report and record keeping; and
- (12) Consultation.

SECTION 13. This act shall take effect January 1, 2012, the public welfare requiring it.