

STATE OF OKLAHOMA

1st Session of the 47th Legislature (1999)

SENATE BILL NO 760

By: Robinson

AS INTRODUCED

An Act relating to licensure of professional addiction therapists; creating Professional Addiction Therapist Licensure Act; providing short title; defining terms; prohibiting certain therapeutic practice or use of certain terms without license; stating exceptions; construing act; making certain actions unlawful; providing penalties; granting injunctive powers; creating Professional Addiction Therapist Licensure Advisory Board; stating duties; establishing number of members, qualifications for appointment, and length of term; staggering initial appointments; providing for filling of vacancies; allowing certain appointment recommendations; providing for removal of members for cause; requiring certain number of meetings; authorizing additional meetings; providing for quorum and election of officers; requiring keeping of records; requiring service without compensation but authorizing reimbursement for travel; granting certain powers to State Board of Health and State Department of Health; providing for applications for licensure; requiring payment of licensure fee; authorizing creation of license examination committee; stating qualifications for licensure; providing for licensure, under certain circumstances, of certain persons practicing within certain period following effective date of act; limiting practice according to level of licensure; stating certain eligibility for third-party insurance reimbursement; providing for recognition of licensure in other states; providing for examinations; permitting reexamination under certain circumstances; requiring certain record preservation; providing for continuing education programs; authorizing license revocation or suspension or placing of licensee on probation under certain circumstances; providing for complaint process and hearings; prohibiting discrimination; providing for license expiration; providing for certain notice and hearing; stating requirements for renewal, reinstatement, and retirement of license; requiring certain information be kept confidential; making exceptions; allowing disclosure under certain circumstances; requiring State Board of Health to set fees sufficient to meet certain administrative costs within certain limits; creating Licensed Professional Addiction Therapists Revolving Fund; making fund non-fiscal; providing for appropriation of monies; authorizing budgeting and expenditure for certain purposes; providing for codification; and providing an effective date.

BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:

SECTION 1. NEW LAW A new section of law to be codified in the Oklahoma Statutes as Section 2301 of Title 59, unless there is created a duplication in numbering, reads as follows:

This act shall be known and may be cited as the "Professional Addiction Therapist Licensure Act".

SECTION 2. NEW LAW A new section of law to be codified in the Oklahoma Statutes as Section 2302 of Title 59, unless there is created a duplication in numbering, reads as follows:

As used in the Professional Addiction Therapist Licensure Act:

1. "Licensed professional addiction therapist" means a person who renders for compensation, alcohol, tobacco, or other drug counseling or alcohol and drug counseling-related services to an individual, group, organization, corporation, institution, or the general public, who is licensed, trained and experienced in alcohol, tobacco and other drug counseling, and who holds a license issued under this act to engage in the professional practice of alcohol, tobacco and other drug counseling in the State of Oklahoma. The term shall not include those exempted by Section 3 of this act;

2. "Board" means the State Board of Health;

3. "Department" means the State Department of Health;

4. "Advisory Board" means the Professional Addiction Therapist Licensure Advisory Board appointed by the Commissioner;

5. "Commissioner" means the State Commissioner of Health;

6. "Independent or private practice" means an alcohol and drug counseling practice conducted by an individual who is licensed as a Licensed Professional Addition Therapist Level II who is either self-employed or a member of a partnership or group practice.

"Independent private practice" does not include employment by a public agency or a private nonprofit agency licensed or certified by the state;

7. "Alcohol and drug counseling" means assisting an individual or group to develop an understanding of alcohol and drug dependency

problems, to define goals, and to plan action reflecting the individual's or group's interest, abilities, and their needs as affected by clinically assessed alcohol and drug dependency problems;

8. "Continuing education" means research and training programs, college and university courses, in-service training program, seminars and conferences designed to maintain and enhance the skills of addiction therapists and which are recognized by the licensing board;

9. "Applicant" means an individual who applies for a license under the provisions of this act;

10. "Supervision" means not less than one (1) hour per week of supervised clinical practice by a Licensed Professional Addiction Therapist Level II;

11. "Supervised work experience" means documented, verifiable, work experience, paid or voluntary, in the field of alcohol and drug abuse treatment, which is performed under the direct supervision of a Licensed Professional Addiction Therapist Level II;

12. "Code of ethics" means written standards of professional and personal conduct and competency for licensed professional addiction therapists;

13. "Professional addiction therapist candidate" means a person whose application for licensure has been accepted and who is under supervision for the purpose of completing the requirements for licensure; and

14. "Self-help group" means a voluntary group of persons who offer peer support to each other in recovering from alcoholism or other drug dependency problem.

SECTION 3. NEW LAW A new section of law to be codified in the Oklahoma Statutes as Section 2303 of Title 59, unless there is created a duplication in numbering, reads as follows:

A. 1. Except as specifically exempted by the Professional Addiction Therapist Licensure Act, no person shall practice as a licensure professional addiction therapist or profess to the public to be, or assume or use the designation of, a licensed professional addiction therapist, or any other title, designation, words, letters or device tending to indicate that such a person is licensed, unless such person is licensed by and holds a current and valid license from the State Department of Health.

2. A person is exempt from this act if the person does not represent to the public, or health care financing agencies, directly or indirectly, that the person is licensed under the Oklahoma Professional Addiction Therapist Licensure Act and does not use any name, title or designation indicating that the person is licensed as an addiction therapist.

B. The Professional Addiction Therapist Licensure Act shall not be construed to include the pursuits of the following professionals acting within the scope of their duties as such professionals, nor shall the title Licensed Professional Addiction Therapist be used by such professionals:

1. Physicians, psychologists, social workers, licensed professional counselors, marital and family therapists and attorneys, who are licensed by their respective licensing authorities;

2. Rehabilitation counselors, vocational evaluation specialists, psychiatric and mental health nurses, alcohol and drug counselors, school administrators, school teachers and school counselors, who are certified by their respective certified authorities;

3. Persons in the employ of accredited institutions of higher education, or in the employ of local, state or federal government; and

4. Members of clergy.

C. The Professional Addiction Therapist Licensure Act shall not be construed to allow the practice of any of the professions specified in subsection B of this section by a licensed professional addiction therapist unless said licensed professional addiction therapist is also licensed or accredited by an appropriate agency, institution or board.

D. Nothing in this act shall be construed to limit the activities and services of a student, intern or resident pursuing professional alcohol and drug counseling to fulfill educational requirements in order to qualify for a license under this act, or an individual seeking to fulfill the post-degree experience requirements in order to qualify for licensing under this act, if the activities and services are supervised as specified in this act, and the student, intern or resident is designated as an alcohol and drug counseling trainee. Nothing in this section shall be construed to permit students, interns or residents to offer their services as professional addiction therapists to any other person and to accept remuneration for such professional addiction counseling services other than as specifically excepted in this section, unless they are currently licensed under the Professional Addiction Therapist Licensure Act.

E. Nothing in this act shall prohibit individuals not licensed under the provisions of the Professional Addiction Therapist Licensure Act who work in self-help groups or programs or not-for-profit organizations from providing services in those groups, programs, organizations or health care financing agencies, as long as those persons are not in any manner held out to the public as licensed professional addiction therapists, or do not hold themselves out to the public by any title or designation stating or implying that they are licensed professional addiction therapists.

F. An individual otherwise exempt under this section who elects to obtain a license under this act must meet the same eligibility

and qualification requirements as any other applicant for the appropriate license under the Professional Addiction Therapist Licensure Act.

SECTION 4. NEW LAW A new section of law to be codified in the Oklahoma Statutes as Section 2304 of Title 59, unless there is created a duplication in numbering, reads as follows:

A. Any person who represents himself or herself by the title "Licensed Professional Addiction Therapist" without having first complied with the provisions of the Professional Addiction Therapist Licensure Act or who otherwise offers to perform alcohol or drug counseling services, or who uses the title of Licensed Professional Addiction Therapist or any other name, style or description denoting that the person is licensed as a licensed professional addiction therapist, or who practices alcohol or drug counseling, upon conviction, shall be guilty of a misdemeanor and shall be punished by imposition of a fine of not less than One Hundred Dollars (\$100.00) nor more than One Thousand Dollars (\$1,000.00) for each offense and in addition may be imprisoned for a term not to exceed six (6) months in the county jail or by both such fine and imprisonment.

B. It shall be unlawful for any person not licensed under or specifically exempt from the Professional Addiction Therapist Licensure Act to advertise or otherwise offer to perform alcohol or drug counseling services or to use the title of Licensed Professional Addiction Therapist or any other name, style or description denoting that the person is licensed as a licensed professional addiction therapist or to practice alcohol or drug counseling. Such action shall be subject to injunctive action by the State Commissioner of Health.

SECTION 5. NEW LAW A new section of law to be codified in the Oklahoma Statutes as Section 2305 of Title 59, unless there is created a duplication in numbering, reads as follows:

A. There is hereby created the Professional Addiction Therapist Licensure Advisory Board whose duty shall be to advise the State Commissioner of Health, the State Board of Health and the State Department of Health on the provisions of the Professional Addiction Therapist Licensure Act.

B. The Advisory Board shall consist of seven (7) members appointed by the State Commissioner of Health with the advice and consent of the State Board of Health. Persons appointed to the Advisory Board shall be residents of the State of Oklahoma and citizens of the United States. Four members shall be, or be eligible to be, licensed professional addiction therapists under the provisions of the Professional Addiction Therapist Licensure Act, and each licensure level established under the act shall be represented among those members. The remaining members of the Advisory Board shall be selected from and represent the general public.

C. Appointments shall be for four-year terms. No more than two members' terms may expire in any one (1) calendar year and appointments of less than four (4) years may be made in order to comply with this limitation. Upon expiration of a term, the member shall immediately relinquish the position. In the event of an unexpired term, the Advisory Board shall notify the Commissioner's office to appoint a successor. The term of the successor shall be no longer than the date of expiration of the original term, regardless of the date of appointment. Of the members of the first Board, two shall be appointed for one (1) year, two shall be appointed for two (2) years, two shall be appointed for three (3) years, and one shall be appointed for four (4) years.

D. Any statewide association representing professional addiction therapists or certified drug and alcohol counselors may submit recommendations to the Commissioner for Advisory Board members.

E. Any Advisory Board member may be removed by the Commissioner, after written notice, for incapacity, incompetence, neglect of duty, misfeasance or malfeasance in office.

F. The Advisory Board shall meet at least six times a year to conduct business. Additional meetings may be held as necessary to conduct business of the Advisory Board, which may be convened at the call of the chair or by a majority of Board members. Four members of the Board shall constitute a quorum for all purposes.

G. The Advisory Board shall annually elect a chair and such officers as determined necessary to carry out the business of the Board. The Advisory Board shall keep such records and minutes as required by law and as necessary to the ordinary dispatch of its functions.

H. Advisory Board members shall serve without compensation but may be reimbursed pursuant to the State Travel Reimbursement Act.

SECTION 6. NEW LAW A new section of law to be codified in the Oklahoma Statutes as Section 2306 of Title 59, unless there is created a duplication in numbering, reads as follows:

A. The State Board of Health shall, giving regard to the recommendations of the Oklahoma Professional Addiction Therapists Licensure Advisory Board, and in accordance with the provisions of the Administrative Procedures Act:

1. Prescribe, adopt and promulgate rules to implement and enforce the provisions of the Professional Addiction Therapist Licensure Act;

2. Adopt and establish rules of professional conduct; and

3. Set license and examination fees as required by the Professional Addiction Therapist Licensure Act.

B. The State Department of Health shall, giving regard to the recommendations of the Advisory Board, have the authority to:

1. Seek injunctive relief;

2. Request the district attorney to bring an action to enforce the provisions of the Professional Addiction Therapist Licensure Act;

3. Receive fees and deposit the fees into the Licensed Professional Addiction Therapist Revolving Fund;

4. Issue, renew, revoke, deny, suspend and place on probation licenses to practice professional alcohol, tobacco, and other drug counseling pursuant to the provisions of the Professional Addiction Therapist Licensure Act;

5. Hold hearings;

6. Examine all qualified applicants for licenses to practice professional alcohol, tobacco or other drug counseling;

7. Require continuing education as a condition for license renewal;

8. Investigate complaints and possible violations of the Professional Addiction Therapist Licensure Act;

9. Maintain a register of licensed professional addiction therapists, which record shall be a public record;

10. Keep a complete record of all proceedings related to hearings and complaint investigations;

11. Accept grants and gifts from various foundations and institutions; and

12. Make such expenditures and employ such personnel as the Commissioner may deem necessary for the administration of the Professional Addiction Therapist Licensure Act.

SECTION 7. NEW LAW A new section of law to be codified in the Oklahoma Statutes as Section 2307 of Title 59, unless there is created a duplication in numbering, reads as follows:

A. Applications for a license to practice as a licensed professional addiction therapist shall be made to the State Department of Health in writing. Such applications shall be on a form and in a manner prescribed by the State Commissioner of Health.

The application shall be accompanied by the fee required by the Professional Addiction Therapist Licensure Act, which shall be retained by the Department and not returned to the applicant.

B. The Commissioner may create a license examination committee to conduct the case presentation method of evaluation.

C. Each applicant for a license to practice as a licensed professional addiction therapist shall:

1. Be at least twenty-one (21) years of age;
2. Be of good moral character, which is a continuing requirement for licensure;
3. Have United States citizenship or status as a legal resident alien;
4. Not be the subject of a sanction from any state or national professional organization or licensure or certification board for violation of the code of ethics, or other related sanction, which requirement shall be waived upon presentation of satisfactory evidence that such sanction does not impair the ability of the applicant to conduct with safety to the public the practice authorized by this license. The applicant shall bear the burden of proving that the sanction does not impair the ability of the applicant to conduct, with safety to the public, the practice authorized by this license;
5. Not have a felony conviction, which requirement is subject to waiver by the Board upon presentation of satisfactory evidence that such conviction does not impair the ability of the applicant to conduct, with safety to the public, the practice authorized by this license. The applicant shall bear the burden of proving that the conviction does not impair the ability of the applicant to conduct, with safety to the public, the practice authorized by this license;
6. Not have been declared mentally incompetent by any court, and if such decree has been rendered, there shall have been a subsequent court determination that the applicant is competent;

7. Not have engaged in, nor be engaged in, any practice or conduct which would be grounds for denying, revoking or suspending a license pursuant to this title; and

8. Otherwise comply with the rules promulgated by the State Board of Health pursuant to the provisions of the Professional Addiction Therapist Licensure Act.

SECTION 8. NEW LAW A new section of law to be codified in the Oklahoma Statutes as Section 2308 of Title 59, unless there is created a duplication in numbering, reads as follows:

For twenty-four (24) months following the effective date of this act, the State Department of Health shall issue to any person, upon application, the license of Professional Addiction Therapist Level II, provided that the applicant verifies a minimum three (3) years' experience in an alcohol and drug treatment field and meets the requirements set forth in subsections A and C of Section 7 of this act.

SECTION 9. NEW LAW A new section of law to be codified in the Oklahoma Statutes as Section 2309 of Title 59, unless there is created a duplication in numbering, reads as follows:

A. The State Department of Health shall issue a license to practice as a licensed professional addiction therapist to any applicant who has satisfactorily completed the following minimal requirements:

1. Met the eligibility requirements set forth in subsection C of Section 7 of this act.

2. Obtained a passing grade, as established by the Department, on the written and oral examinations the Board has prescribed by its rules;

3. Completed the minimum hours of supervised experience in direct client service hours as an addiction therapist required for the level of licensure desired;

4. Completed a minimum number of education hours required for the licensure level desired;

5. Completed the minimum hours of internship or practicum in chemical dependency for the level of licensure desired;

6. Has signed a written agreement to abide by the standards of ethics and conduct approved by the Board; and

7. Has furnished evidence satisfactory to the Board that the applicant has met the requirements for licensure under the Professional Addiction Therapist Licensure Act.

B. The Department shall issue a license to practice as a Licensed Professional Addiction Therapist Level I to any applicant who has satisfactorily met the following minimal requirements:

1. Completed a minimum of three thousand (3,000) hours of experience in direct client service hours as an addiction therapist, under the supervision of a Licensed Professional Addiction Therapist Level II;

2. Completed a minimum of forty (40) semester hours or fifty-five (55) quarter hours of education and training in alcohol and drug or other related counseling subjects, either through a degree program or otherwise;

3. Completed a minimum of three hundred (300) clock hours of chemical dependency internship or practicum; and

4. Has a Certified Alcohol Counselor certification, a Certified Alcohol and Drug Counselor certification or has received a bachelor's degree from an accredited institution approved by the Board in counseling, one of the human services, or other related field as deemed appropriate by the Board; or

C. The Department shall issue a license to practice as a Licensed Professional Addiction Therapist Level II to any applicant who has satisfactorily met the following minimal requirements:

1. Completed a minimum of three thousand (3,000) hours of experience in direct client service hours as an addiction therapist,

under the supervision of a Licensed Professional Addiction Therapist Level II;

2. Completed a minimum of forty-five (45) graduate semester hours or sixty (60) graduate quarter hours of education and training specifically in alcohol and drug counseling subjects;

3. Completed a minimum of three hundred (300) clock hours of chemical dependency internship or practicum; and

4. Has received a master's degree.

SECTION 10. NEW LAW A new section of law to be codified in the Oklahoma Statutes as Section 2310 of Title 59, unless there is created a duplication in numbering, reads as follows:

A. An individual holding a Licensed Professional Addiction Therapist Level I license may only provide alcohol, tobacco and other drug counseling services or compensation and reimbursement, as defined by this act, while in the employment of an agency or facility which is licensed, certified or otherwise authorized to operate under the laws of the State of Oklahoma. An individual holding this license is not eligible for third party insurance reimbursement or to conduct private practice.

B. An individual holding a Licensed Professional Addiction Therapist Level II license may provide alcohol and drug counseling services, as defined by this act, for compensation and reimbursement in private or in conjunction with a facility licensed, certified or otherwise authorized to operate under the laws of the State of Oklahoma. An individual holding this license is eligible for third party insurance reimbursement and is eligible to maintain a private practice. An individual holding this license may supervise addiction therapists holding any addiction therapist license.

SECTION 11. NEW LAW A new section of law to be codified in the Oklahoma Statutes as Section 2311 of Title 59, unless there is created a duplication in numbering, reads as follows:

The State Commissioner of Health shall have the power to issue licenses by endorsement for applicants licensed in other states to practice as a licensed professional addiction therapist if the Commissioner deems such states to have qualifications and standards substantially similar to those required by the Professional Addiction Therapist Licensure Act.

SECTION 12. NEW LAW A new section of law to be codified in the Oklahoma Statutes as Section 2312 of Title 59, unless there is created a duplication in numbering, reads as follows:

A. Examinations shall be held at such times, at such place and in such manner as the State Commissioner of Health directs. An examination shall be held at least twice annually. An applicant shall be known to the examiners only by number until after the examination has been graded and the licenses have been granted or denied.

B. The State Department of Health shall determine the acceptable grade on examinations. The examination shall cover such technical, professional and practical subjects as relate to the practice of professional alcohol, tobacco or other drug counseling. The scope and content of the examination shall be sufficient to ensure professional competence in keeping with the highest standards of the alcohol and drug counseling profession.

C. If an applicant fails to pass the examinations, the applicant may reapply and shall be allowed to take subsequent examinations. An applicant who has failed two successive examinations may not reapply for two (2) years from the date of the last examination.

D. The Commissioner shall preserve answers to any examination, and the applicant's performance on each section, as part of its records for a period of two (2) years following the date of the examination.

SECTION 13. NEW LAW A new section of law to be codified in the Oklahoma Statutes as Section 2313 of Title 59, unless there is created a duplication in numbering, reads as follows:

The State Department of Health shall prepare or approve the preparation and administration of continuing education programs for licensed professional addiction therapists under this act. A person licensed under this act must complete at least forty (40) hours of continuing education in each two-year period in which the person holds a license as a requirement for the renewal of the license. The Board shall provide by rule for the administration of the continuing education requirements for license renewal under this act.

SECTION 14. NEW LAW A new section of law to be codified in the Oklahoma Statutes as Section 2314 of Title 59, unless there is created a duplication in numbering, reads as follows:

A. The State Department of Health may deny, revoke, suspend or place on probation any license issued pursuant to the provisions of the Professional Addiction Therapist Licensure Act to a licensed professional addiction therapist, if the person has:

1. Been convicted of a felony;
2. Been convicted of a misdemeanor determined to be of such a nature as to render the person convicted unfit to practice addiction therapy;
3. Engaged in fraud or deceit in connection with services rendered or in establishing needed qualifications pursuant to the provisions of this act;
4. Knowingly aided or abetted a person not licensed pursuant to these provisions in representing himself as a licensed professional addiction therapist in this state;
5. Engaged in unprofessional conduct as defined by the rules established by the Board;

6. Engaged in negligence or wrongful actions in the performance of his duties; or

7. Misrepresented any information required in obtaining a license.

B. No license shall be suspended or revoked, nor a licensed professional addiction therapist placed on probation until notice is served upon the licensed professional addiction therapist and a hearing is held in conformity with Article II of the Administrative Procedures Act.

C. Any individual may file a complaint with the Department seeking denial, suspension or revocation of a license issued or to be issued under the Professional Addiction Therapist Licensure Act. Such complaints shall be in a form prescribed by the Department and shall be verified under oath by the complainant or a duly authorized agent. If the Department determines that a complaint alleges facts which, if true, would require denial, revocation or suspension of a license, the Department shall promptly issue notice and conduct a hearing.

SECTION 15. NEW LAW A new section of law to be codified in the Oklahoma Statutes as Section 2315 of Title 59, unless there is created a duplication in numbering, reads as follows:

The consideration of a license application, the conduct of an examination, the establishment and enforcement of a rule, disciplinary proceeding, and any other action and decision performed under this act shall be done without regard to the sex, religion, age, handicap, sexual orientation, veteran status, national origin, color, or political affiliation of the person applying for licensure.

SECTION 16. NEW LAW A new section of law to be codified in the Oklahoma Statutes as Section 2316 of Title 59, unless there is created a duplication in numbering, reads as follows:

A. An applicant who meets the requirements for licensure pursuant to the provisions of the Professional Addiction Therapist Licensure Act, has paid the required license fees and has otherwise complied with the provisions of the Professional Addiction Therapist Licensure Act shall be licensed by the State Department of Health.

B. Licenses issued pursuant to the Professional Addiction Therapist Licensure Act shall expire twenty-four (24) months from the date of issuance unless revoked. A license may be renewed upon application and payment of fees. The application for renewal shall be accompanied by evidence satisfactory to the State Department of Health that the applicant has completed relevant professional or continued educational experience during the previous twenty-four (24) months. Failure to renew a license as required by the Professional Addiction Therapist Licensure Act shall constitute a suspension of the license. A person whose license has been suspended may make application within one (1) year following the suspension in writing to the Department requesting reinstatement in a manner prescribed by the Department and payment of the fees required by the provisions of the Professional Addiction Therapist Licensure Act. The license of a person whose license has been suspended pursuant to this section for more than one (1) year shall not be renewed except upon making application and taking and passing the examination as required by the Professional Addiction Therapist Licensure Act.

C. A licensed professional addiction therapist whose license is current and in good standing, who wishes to retire the license, may do so by informing the Department in writing and returning the license to the Department. A license so retired shall not be reinstated but does not prevent a person from applying for a new license at a future date.

SECTION 17. NEW LAW A new section of law to be codified in the Oklahoma Statutes as Section 2317 of Title 59, unless there is created a duplication in numbering, reads as follows:

A. No person licensed pursuant to the provisions of the Professional Addiction Therapist Licensure Act shall disclose any information the licensee may have acquired from persons consulting the licensee in the licensee's professional capacity as a professional addiction therapist or be compelled to disclose such information except:

1. With the written consent of the client, or in the case of death or disability of the client, the consent of the client's personal representative or other person authorized to sue or the beneficiary of any insurance policy on the client's life, health or physical condition;

2. If the person is a child under the age of eighteen (18) years and the information acquired by the licensed person indicated that the child was the victim or subject of a crime, the licensed person may be required to testify fully in relation thereto upon an examination, trial or other proceeding in which the commission of such a crime is a subject of inquiry;

3. If the client waives the privilege by bringing charges against the licensed person;

4. When failure to disclose such information presents a danger to the health of any person; or

5. If the licensed professional addiction therapist is a party to a civil, criminal or disciplinary action arising from such therapy, in which case any waiver of the privilege accorded by this section shall be limited to that action.

B. No information shall be treated as privileged and there shall be no privileges created by the Professional Addiction Therapist Licensure Act as to any information acquired by the person licensed pursuant to the Professional Addiction Therapist Licensure

Act when such information pertains to criminal acts or violation of any law.

C. The Professional Addiction Therapist Licensure Act shall not be construed to prohibit any licensed person from testifying in court hearings concerning matters of adoption, child abuse, child neglect, battery or matters pertaining to the welfare of children or from seeking collaboration or consultation with professional colleagues or administrative superiors on behalf of a client.

SECTION 18. NEW LAW A new section of law to be codified in the Oklahoma Statutes as Section 2318 of Title 59, unless there is created a duplication in numbering, reads as follows:

The licensing fee and the annual renewal fee shall be amounts fixed by the State Board of Health upon recommendations of the Professional Addiction Therapists Licensure Advisory Board. The Board shall fix the amount of the fees so that the total fees collected will be sufficient to meet the expenses of administering the provisions of the Professional Addiction Therapist Licensure Act and so that there are no unnecessary surpluses in the Licensed Professional Addiction Therapist Revolving Fund. The Board shall not fix a license fee at an amount in excess of Three Hundred Dollars (\$300.00) and a renewal fee at an amount in excess of Two Hundred Dollars (\$200.00). The fee for the issuance of a license to replace a license which was lost, destroyed, mutilated or revoked shall be Twenty-five Dollars (\$25.00). The fee shall accompany the application for a replacement license. The fee for specialty designation shall not exceed One Hundred Fifty Dollars (\$150.00). The fee for an examination required pursuant to the Professional Addiction Therapist Licensure Act shall not exceed One Hundred Dollars (\$100.00).

SECTION 19. NEW LAW A new section of law to be codified in the Oklahoma Statutes as Section 2319 of Title 59, unless there is created a duplication in numbering, reads as follows:

There is hereby created in the State Treasury a revolving fund for the State Department of Health to be designated the "Licensed Professional Addiction Therapists Revolving Fund". The fund shall be a continuing fund, not subject to fiscal year limitations, and shall consist of all monies received pursuant to the Professional Addiction Therapist Licensure Act. All monies accruing to the credit of the fund are hereby appropriated and may be budgeted and expended by the Department to meet expenses necessary for carrying out the purpose of the Professional Addiction Therapist Licensure Act. Expenditures from the fund shall be approved by the State Commissioner of Health and shall be made upon warrants issued by the State Treasurer against claims filed as prescribed by law with the Director of State Finance for approval and payment.

SECTION 20. This act shall become effective November 1, 1999.

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