

STATE OF OKLAHOMA

1st Session of the 50th Legislature (2005)

HOUSE BILL 1017

By: Gilbert

AS INTRODUCED

An Act relating to professions and occupations; amending Sections 4, 7 and 8, Chapter 313, O.S.L. 2004 (59 O.S. Supp. 2004, Sections 1873, 1876 and 1877), which relate to the Licensed Alcohol and Drug Counselors Act; extending date certain requirements must be obtained; and declaring an emergency.

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

SECTION 1. AMENDATORY Section 4, Chapter 313, O.S.L. 2004 (59 O.S. Supp. 2004, Section 1873), is amended to read as follows:

Section 1873. A. There is hereby created, to continue until July 1, 2010, in accordance with the provisions of the Oklahoma Sunset Law, the Oklahoma Board of Licensed Alcohol and Drug Counselors, consisting of seven (7) members, to be appointed by the Governor, with the advice and consent of the Senate, as follows:

1. a. Six members who shall be alcohol and drug counselors certified by an entity recognized to do professional alcohol and drug counseling certification in this state; provided, however, five of such members shall subsequently secure licensure and one such member shall subsequently secure certification, pursuant to the provisions of the Licensed Alcohol and Drug Counselors Act, no later than ~~January~~ November 1, 2005.
- b. Thereafter, five members shall be licensed alcohol and drug counselors at the time of appointment, and one

member shall be certified as an alcohol and drug counselor at the time of appointment.

c. Pursuant to the provisions of this paragraph, the Governor shall appoint:

(1) four members from a list of names submitted by the Oklahoma Drug and Alcohol Professional Counselors Association,

(2) one member from a list of names submitted by the Oklahoma Substance Abuse Services Alliance, and

(3) one member from a list of names submitted by the Oklahoma Citizen Advocates for Recovery and Treatment Association.

d. One member shall be appointed from and shall represent the general public. Such member shall be a resident of this state who has attained the age of majority and shall not be, nor shall ever have been, a licensed or certified alcohol and drug counselor, or the spouse of a licensed or certified alcohol and drug counselor, or a person who has ever had any material financial interest in the provision of alcohol and drug counseling services or has engaged in any activity directly related to the practice of alcohol and drug counseling.

2. The composition of the Board shall include five members who hold a master's or higher degree and one member whose highest degree held is a bachelor's degree.

3. The Governor shall appoint the members to the Board no later than July 1, 2004.

B. Each member of the Board appointed as a licensed alcohol and drug counselor shall:

1. Be certified or licensed to engage in the practice of alcohol and drug counseling in this state and shall be in good standing; and

2. Have at least three (3) years of experience in the practice of alcohol and drug counseling in this state.

C. Two of the members initially appointed shall serve three-year terms; two shall serve four-year terms and three shall serve five-year terms, as designated by the Governor. Thereafter, the terms of all members shall be five (5) years.

D. A vacancy on the Board shall be filled in the same manner as the original appointment for the balance of the unexpired term. Members may succeed themselves but shall serve no more than two consecutive terms. Each member shall serve until a successor is appointed and qualified.

E. Members of the Board may be removed from office for one or more of the following reasons:

1. The refusal or inability for any reason to perform the duties of a Board member in an efficient, responsible and professional manner;

2. The misuse of office for pecuniary or material gain or for personal advantage for self or another;

3. A violation of the laws or rules governing the practice of alcohol and drug counseling; or

4. Conviction of a felony as verified by a certified copy of the record of the court of conviction.

F. Members of the Board shall serve without compensation, but shall be reimbursed for actual and necessary travel expenses as provided in the State Travel Reimbursement Act.

SECTION 2. AMENDATORY Section 7, Chapter 313, O.S.L. 2004 (59 O.S. Supp. 2004, Section 1876), is amended to read as follows:

Section 1876. A. Unless exempt pursuant to Section ~~3~~ 1872 of this ~~act~~ title, on and after ~~January~~ November 1, 2005, any person wishing to practice alcohol and drug counseling in this state shall obtain a certificate or license to practice pursuant to the provisions of the Licensed Alcohol and Drug Counselors Act.

B. An application for a certificate or license to practice as a certified or licensed alcohol and drug counselor shall be made to the Oklahoma Board of Licensed Alcohol and Drug Counselors in writing. Such application shall be on a form and in a manner prescribed by the Board. The application shall be accompanied by the fee required by this act, which shall be retained by the Board and not returned to the applicant.

C. Each applicant for a certificate or license to practice as a certified or licensed alcohol and drug counselor shall:

1. Be possessed of good moral character;
2. Pass an oral and a written examination based on standards established by the International Counselor and Reciprocity Consortium;
3. Be at least twenty-one (21) years of age;
4. 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 the provisions of this act; and
5. Otherwise comply with the rules promulgated by the Board pursuant to the provisions of this act.

D. Except as otherwise provided by subsections E and G of this section, on and after ~~January~~ November 1, 2005, in addition to the qualifications specified by the provisions of subsection C of this section, an applicant for a license to practice as a licensed alcohol and drug counselor shall have:

1. At a minimum, a master's degree in a behavioral science field that is recognized by the Oklahoma Board of Licensed Alcohol

and Drug Counselors as appropriate to practice as a licensed alcohol and drug counselor;

2. Successfully completed at least one (1) year of full-time supervised work experience. For the purpose of this act, "one (1) year of full-time work experience" shall be defined as two thousand (2,000) hours of work experience, of which at least one thousand (1,000) hours shall consist of providing alcohol and drug counseling services to an individual and/or the individual's family;

3. Successfully completed at least one hundred eighty (180) clock hours of education related to alcohol and drug counseling subjects, theory, practice or research; and

4. Successfully completed at least three hundred (300) hours of supervised practicum experience in the field of drug and alcohol counseling.

E. Effective January 1, 2010, an applicant for a license to practice as a licensed alcohol and drug counselor shall have:

1. At least a master's degree in alcohol and substance abuse counseling from a college or university accredited by an agency recognized by the United States Department of Education; or

2. a. Possess at least a master's degree in a behavioral science or counseling-related field from a college or university accredited by an agency recognized by the United States Department of Education which is the content-equivalent of a graduate degree in alcohol and substance abuse counseling. In order to qualify as a "content-equivalent" degree, a graduate transcript shall reflect, at a minimum, the following knowledge areas and graduate hours:

(1) three courses in foundational knowledge, including one course in alcohol and drug addiction, one course in drug and alcohol

counseling theory, and one course in the pharmacology of drugs of abuse,

- (2) three courses in assessment and treatment of alcohol and drug problems, which may include group dynamics, individual and family counseling skills, specific counseling approaches, assessment methods, community resources and referral, or other courses primarily related to the assessment and treatment of alcohol and drug problems,
- (3) one course in human development,
- (4) one course in psychopathology,
- (5) one course in multicultural and cultural competency issues,
- (6) one course in family systems theory,
- (7) one course in ethics, which includes established ethical conduct for alcohol and drug counselors,
- (8) one course in research methods, and
- (9) one three-hour practicum/internship in the field of drug and alcohol counseling of at least three hundred (300) clock hours.

- b. All courses shall be graduate level courses and shall be three (3) semester hours or four (4) quarter credit hours which shall include a minimum of forty-five (45) class hours for each course.

F. Effective ~~January~~ November 1, 2005, except as provided in subsection G of this section, each applicant for a certificate to practice as a certified alcohol and drug counselor shall have:

1. At a minimum, a bachelor's degree in a behavioral science field that is recognized by the Oklahoma Board of Licensed Alcohol and Drug Counselors as appropriate to practice as a certified drug and alcohol counselor in this state;

2. Successfully completed at least two (2) years of full-time supervised work experience. For the purpose of this act, "two years of full-time work experience" shall be defined as four thousand (4,000) hours of work experience of which at least two thousand (2,000) hours shall consist of providing alcohol and drug counseling services to an individual and/or the individual's family;

3. Successfully completed at least two hundred seventy (270) clock hours of education related to alcohol and drug counseling subjects, theory, practice or research;

4. Successfully completed, as part of or in addition to the education requirements established in paragraph 3 of this subsection, a minimum of forty-five (45) clock hours of specialized training approved by the Board in identifying co-occurring disorders and making appropriate referrals for treatment of co-occurring disorders; and

5. Successfully completed at least three hundred (300) hours of supervised practicum experience in the field of drug and alcohol counseling.

G. 1. Subject to application to the Board, prior to ~~January~~ November 1, 2005, any person practicing in the State of Oklahoma at the time of application and holding a certificate in alcohol and drug counseling from any state or nationally recognized certifying body or agency recognized by the Board and issued on or before ~~December~~ October 31, ~~2004~~ 2005, shall be granted a certificate under this act.

2. Subject to application to the Board, prior to ~~January~~ November 1, 2005, any person practicing in the State of Oklahoma at the time of application and holding a certificate in alcohol and drug counseling from any state or nationally recognized certifying body or agency recognized by the Board and issued on or before ~~December~~ October 31, ~~2004~~ 2005, and a master's degree, as provided

in paragraph 1 of subsection D of this section, shall be granted a license under this act.

SECTION 3. AMENDATORY Section 8, Chapter 313, O.S.L. 2004 (59 O.S. Supp. 2004, Section 1877), is amended to read as follows:

Section 1877. A. 1. On and after ~~January~~ November 1, 2005, before any person is eligible to receive a license to practice as a certified or licensed alcohol and drug counselor in this state, such person shall successfully pass an examination pursuant to the provisions of this section.

2. Examinations shall be held at such times, at such place and in such manner as the Oklahoma Board of Licensed Alcohol and Drug Counselors directs. An examination shall be held at least annually. The Board shall determine the acceptable grade on examinations. The examination shall cover such technical, professional and practical subjects as relate to the practice of alcohol and drug counseling.

3. If an applicant fails to pass the examination, the applicant may reapply.

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

SECTION 4. It being immediately necessary for the preservation of the public peace, health and safety, an emergency is hereby declared to exist, by reason whereof this act shall take effect and be in full force from and after its passage and approval.

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