ENGROSSED HOUSE AMENDMENT
TO
ENGROSSED SENATE BILL NO. 668 By: David and Ivester of the Senate

and

Peterson of the House

[Oklahoma Board of Licensed Alcohol and Drug Counselors - recovery of certain costs - effective date]

AMENDMENT NO. 1. Strike the stricken title, enacting clause and entire bill and insert

"An Act relating to co-occurring disorders; amending Section 6, Chapter 313, O.S.L. 2004, as last amended by Section 2, Chapter 400, O.S.L. 2008 (59 O.S. Supp. 2010, Section 1875), which relates to the Licensed Alcohol and Drug Counselors Act; modifying powers and duties of Oklahoma Board of Licensed Alcohol and Drug Counselors; and providing an effective date.

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

SECTION 1. AMENDATORY Section 6, Chapter 313, O.S.L. 2004, as amended by Section 2, Chapter 400, O.S.L. 2008 (59 O.S. Supp. 2010, Section 1875), is amended to read as follows:

Section 1875. In addition to any other powers and duties imposed by law, the Oklahoma Board of Licensed Alcohol and Drug Counselors shall have the power and duty to:

1. Promulgate rules necessary to effectuate the provisions of the Licensed Alcohol and Drug Counselors Act, and to make orders as it may deem necessary or expedient in the performance of its duties;

2. Prepare, conduct and grade examinations of persons who apply for certification or licensure as an alcohol and drug counselor and certification for co-occurring disorders;

3. Determine a satisfactory passing score on such examinations and issue certifications and licenses to persons who pass the examinations or who are otherwise entitled to certification and licensure;

4. Determine eligibility for certification and licensure and requirements for approval as a supervisor;

5. Issue and renew certificates and licenses for alcohol and drug counselors and certification for co-occurring disorders;

6. Upon good cause shown:

a. deny the issuance of a certificate or license,

b. suspend, revoke or refuse to renew a certificate or license,

c. place a holder of a certificate or a licensee on probation, or

d. suspend, revoke, refuse to renew or otherwise sanction a certified alcohol and drug counselor candidate or a licensed alcohol and drug counselor candidate;

7. Establish and levy administrative penalties against any person or entity who violates any of the provisions of this act or any rule promulgated or order issued pursuant thereto;

8. Obtain an office, secure facilities, and employ, direct, discharge and define the duties and set the salaries of office personnel as deemed necessary by the Board;

9. Initiate disciplinary, prosecution and injunctive proceedings against any person or entity who violates any of the provisions of ~~this act~~ the Licensed Alcohol and Drug Counselors Act, or any rule promulgated or order issued pursuant thereto; provided, the Board shall be exempt from providing surety for the costs in connection with the commencement of any legal proceedings under the provisions of the Licensed Alcohol and Drug Counselors Act;

10. Investigate alleged violations of the Licensed Alcohol and Drug Counselors Act, or the rules, orders or final orders of the Board and impose as part of any disciplinary action the payment of costs expended by the Board for any legal fees and costs, including, but not limited to, probation and monitoring, staff time, salary and travel expenses, witness fees and attorney fees;

11. Promulgate rules of conduct governing the practice of certified and licensed alcohol and drug counselors, certified

alcohol and drug counselor candidates, licensed alcohol and drug counselor candidates and supervisors;

12. Keep accurate and complete records of its proceedings;

13. Promulgate rules for continuing education requirements for certified and licensed alcohol and drug counselors, and supervisors;

14. Issue a certificate or license by endorsement to an applicant certified or licensed to practice as a certified or licensed alcohol and drug counselor in another state if the Board deems such applicant to have qualifications that are comparable to those required under the Licensed Alcohol and Drug Counselors Act and, if the Board deems the applicant as meeting the standards, provided by rules, for certification or licensure by endorsement;

15. Require certified and licensed drug and alcohol counselors to maintain their patient records for a period of seven (7) years from the date the service was provided; and

16. Perform such other duties and have such other responsibilities as necessary to implement the provisions of the Licensed Alcohol and Drug Counselors Act.

SECTION 2. This act shall become effective November 1, 2011."

Passed the House of Representatives the 21st day of April, 2011.

_____
Presiding Officer of the House of Representatives

Passed the Senate the ____ day of _____, 2011.

_____
Presiding Officer of the Senate

ENGROSSED SENATE
BILL NO. 668 By: David and Ivester of the Senate

and

Peterson of the House

[Oklahoma Board of Licensed Alcohol and Drug Counselors - recovery of certain costs - effective date]

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

SECTION 3. AMENDATORY Section 6, Chapter 313, O.S.L. 2004, as amended by Section 2, Chapter 400, O.S.L. 2008 (59 O.S. Supp. 2010, Section 1875), is amended to read as follows:

Section 1875. In addition to any other powers and duties imposed by law, the Oklahoma Board of Licensed Alcohol and Drug Counselors shall have the power and duty to:

1. Promulgate rules necessary to effectuate the provisions of the Licensed Alcohol and Drug Counselors Act, and to make orders as it may deem necessary or expedient in the performance of its duties;

2. Prepare, conduct and grade examinations of persons who apply for certification or licensure as an alcohol and drug counselor and certification for co-occurring disorders;

3. Determine a satisfactory passing score on such examinations and issue certifications and licenses to persons who pass the

examinations or who are otherwise entitled to certification and licensure;

4. Determine eligibility for certification and licensure and requirements for approval as a supervisor;

5. Issue and renew certificates and licenses for alcohol and drug counselors and certification for co-occurring disorders;

6. Upon good cause shown:

a. deny the issuance of a certificate or license,

b. suspend, revoke or refuse to renew a certificate or license,

c. place a holder of a certificate or a licensee on probation, or

d. suspend, revoke, refuse to renew or otherwise sanction a certified alcohol and drug counselor candidate or a licensed alcohol and drug counselor candidate;

7. Establish and levy administrative penalties against any person or entity who violates any of the provisions of this act or any rule promulgated or order issued pursuant thereto;

8. Obtain an office, secure facilities, and employ, direct, discharge and define the duties and set the salaries of office personnel as deemed necessary by the Board;

9. Initiate disciplinary, prosecution and injunctive proceedings against any person or entity who violates any of the provisions of ~~this act~~ the Licensed Alcohol and Drug Counselors Act,

or any rule promulgated or order issued pursuant thereto; provided, the Board shall be exempt from providing surety for the costs in connection with the commencement of any legal proceedings under the provisions of the Licensed Alcohol and Drug Counselors Act;

10. Investigate alleged violations of the Licensed Alcohol and Drug Counselors Act, or the rules, orders or final orders of the Board and impose as part of any disciplinary action the payment of costs expended by the Board for any legal fees and costs, including, but not limited to, probation and monitoring, staff time, salary and travel expenses, witness fees and attorney fees;

11. Promulgate rules of conduct governing the practice of certified and licensed alcohol and drug counselors, certified alcohol and drug counselor candidates, licensed alcohol and drug counselor candidates and supervisors;

12. Keep accurate and complete records of its proceedings;

13. Promulgate rules for continuing education requirements for certified and licensed alcohol and drug counselors, and supervisors;

14. Issue a certificate or license by endorsement to an applicant certified or licensed to practice as a certified or licensed alcohol and drug counselor in another state if the Board deems such applicant to have qualifications that are comparable to those required under the Licensed Alcohol and Drug Counselors Act and, if the Board deems the applicant as meeting the standards, provided by rules, for certification or licensure by endorsement;

15. Require certified and licensed drug and alcohol counselors to maintain their patient records for a period of seven (7) years from the date the service was provided; and

16. Perform such other duties and have such other responsibilities as necessary to implement the provisions of the Licensed Alcohol and Drug Counselors Act.

SECTION 4. This act shall become effective November 1, 2011.

Passed the Senate the 8th day of March, 2011.

_____
Presiding Officer of the Senate

Passed the House of Representatives the ____ day of _____, 2011.

_____
Presiding Officer of the House of Representatives