

1 ENGROSSED HOUSE AMENDMENT
TO
2 ENGROSSED SENATE BILL NO. 668

By: David and Ivester of the
Senate

3
4 and

Peterson of the House

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

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

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

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

23 SECTION 1. AMENDATORY Section 6, Chapter 313, O.S.L.
24 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:

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

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

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

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

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

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

18 6. Upon good cause shown:

- 19 a. deny the issuance of a certificate or license,
20 b. suspend, revoke or refuse to renew a certificate or
21 license,
22 c. place a holder of a certificate or a licensee on
23 probation, or
24

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

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

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

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

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

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

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

3 12. Keep accurate and complete records of its proceedings;

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

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

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

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

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