

1 STATE OF OKLAHOMA

2 1st Session of the 53rd Legislature (2011)

3 COMMITTEE SUBSTITUTE  
4 FOR

5 SENATE BILL 668

6 By: David

7 COMMITTEE SUBSTITUTE

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

11  
12 BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:

13 SECTION 1. AMENDATORY Section 6, Chapter 313, O.S.L.  
14 2004, as amended by Section 2, Chapter 400, O.S.L. 2008 (59 O.S.  
15 Supp. 2010, Section 1875), is amended to read as follows:

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

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

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

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

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

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

9           6. Upon good cause shown:

10           a. deny the issuance of a certificate or license,

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

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

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

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

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

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

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

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

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

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

21           14. Issue a certificate or license by endorsement to an  
22 applicant certified or licensed to practice as a certified or  
23 licensed alcohol and drug counselor in another state if the Board  
24 deems such applicant to have qualifications that are comparable to

1 those required under the Licensed Alcohol and Drug Counselors Act  
2 and, if the Board deems the applicant as meeting the standards,  
3 provided by rules, for certification or licensure by endorsement;

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

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

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

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