

1 ENGROSSED SENATE  
2 BILL NO. 668

By: David and Ivester of the  
Senate

3 and

4 Peterson of the House

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6  
7 [ Oklahoma Board of Licensed Alcohol and Drug  
8 Counselors - recovery of certain costs - effective  
9 date ]

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

11 SECTION 1. AMENDATORY Section 6, Chapter 313, O.S.L.  
12 2004, as amended by Section 2, Chapter 400, O.S.L. 2008 (59 O.S.  
13 Supp. 2010, Section 1875), is amended to read as follows:

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

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

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

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

1 examinations or who are otherwise entitled to certification and  
2 licensure;

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

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

7 6. Upon good cause shown:

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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Presiding Officer of the Senate

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12 Passed the House of Representatives the \_\_\_\_ day of \_\_\_\_\_,

13 2011.

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Presiding Officer of the House  
of Representatives

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