

1 STATE OF OKLAHOMA

2 2nd Session of the 53rd Legislature (2012)

3 SENATE BILL 1277

By: David

4  
5  
6 AS INTRODUCED

7 An Act relating to licensed alcohol and drug  
8 counselors; amending 59 O.S. 2011, Sections 1871 and  
9 1876, which relate to the Licensed Alcohol and Drug  
10 Counselors Act; modifying definition; adding  
11 definition; deleting obsolete language; modifying  
12 requirements for certain applicants; specifying  
13 certain scope of practice; clarifying language; and  
14 providing an effective date.

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

16 SECTION 1. AMENDATORY 59 O.S. 2011, Section 1871, is  
17 amended to read as follows:

18 Section 1871. For purposes of the Licensed Alcohol and Drug  
19 Counselors Act:

20 1. "Alcohol and drug counseling", ~~as a licensed alcohol and~~  
21 ~~drug counselor,~~ means the application of counseling principles for:

- 22 a. substance use disorders, or  
23 b. substance abuse disorders and co-occurring disorders  
24 in order to:  
(1) develop an understanding of substance abuse and  
co-occurring disorders,

- (2) permit licensed alcohol and drug counselors to prevent, diagnose or treat substance abuse and to prevent, diagnose or treat co-occurring disorders,
- (3) permit licensed alcohol and drug counselors to conduct assessments or diagnoses for the purpose of establishing treatment goals and objectives for substance abuse and to establish treatment goals and objectives for co-occurring disorders, and
- (4) plan, implement or evaluate treatment plans using counseling treatment interventions;

2. "Alcohol and drug counseling", as a certified alcohol and drug counselor, means the application of counseling principles for:

- a. substance use disorders, or
- b. substance abuse disorders in order to:
  - (1) develop an understanding of alcoholism and drug dependency problems,
  - (2) prevent, diagnose or treat alcohol and drug dependency problems,
  - (3) conduct assessments or diagnosis for the purpose of establishing treatment goals and objectives for substance abuse,

- 1 (4) plan, implement or evaluate treatment plans using  
2 counseling treatment interventions for substance  
3 abuse, and
- 4 (5) permit certified alcohol and drug counselors  
5 certified in co-occurring disorders to recognize  
6 co-occurring disorders and integrate that  
7 recognition into substance abuse treatment,  
8 provided the certified alcohol and drug counselor  
9 is working in a nationally accredited or Oklahoma  
10 Department of Mental Health and Substance Abuse  
11 Services certified agency and is working under  
12 the supervision of a supervisor approved by the  
13 Oklahoma Board of Licensed Alcohol And Drug  
14 Counselors pursuant to paragraph ~~11~~ 13 of this  
15 section and who is a licensed alcohol and drug  
16 counselor that is licensed in mental health and  
17 substance abuse, a licensed alcohol and drug  
18 counselor that holds a co-occurring certification  
19 from the Board or a licensed mental health  
20 professional. Certified alcohol and drug  
21 counselors shall meet or exceed the Certified Co-  
22 Occurring Disorders Professional Standards as  
23 laid out in the standards promulgated by the  
24 International Certification & Reciprocity

1 Consortium, any successor organization to the  
2 International Certification and Reciprocity  
3 Consortium or another national or international  
4 organization that has similar standards equal to  
5 or higher than the International Certification  
6 and Reciprocity Consortium.

7 Certified alcohol and drug counselors may not provide private or  
8 independent practice for co-occurring disorders;

9 3. "Board" means the Oklahoma Board of Licensed Alcohol and  
10 Drug Counselors, created by Section 1873 of this title;

11 4. "Certified alcohol and drug counselor" means any person who  
12 is not exempt pursuant to the provisions of Section 1872 of this  
13 title and is not licensed under the Licensed Alcohol and Drug  
14 Counselors Act, but who provides alcohol and drug counseling  
15 services within the scope of practice while employed by an entity  
16 certified by the Department of Mental Health and Substance Abuse  
17 Services, or who is exempt from such certification, or who is under  
18 the supervision of a person recognized by the Oklahoma Board of  
19 Licensed Alcohol and Drug Counselors as a supervisor. A certified  
20 alcohol and drug counselor may provide counseling services for co-  
21 occurring disorders if he or she has been certified by the Board to  
22 provide counseling as provided in this section for co-occurring  
23 disorders;

1       5. "Certified alcohol and drug counselor candidate" or  
2 "licensed alcohol and drug counselor candidate" means a person who  
3 has made application for certification or licensure and who has been  
4 authorized by the board to practice alcohol and drug counseling  
5 under supervision while completing the required work experience;

6       6. "Consulting" means interpreting or reporting scientific fact  
7 or theory in counseling to provide assistance in solving current or  
8 potential problems of individuals, groups or organizations;

9       7. "Co-occurring disorder" means a disorder in which  
10 individuals have at least one mental health disorder as defined in  
11 the most current version of the Diagnostic and Statistical Manual  
12 and a substance abuse disorder as defined in paragraph ~~12~~ 14 of this  
13 section. While these disorders may interact differently in any one  
14 person at least one disorder of each type can be diagnosed  
15 independently of the other;

16       8. "International Certification & Reciprocity Consortium  
17 Standards" means the standards enumerated by the International  
18 Certification and Reciprocity Consortium, any successor organization  
19 to the Consortium or another national or international organization  
20 that has similar standards equal to or higher than the International  
21 Certification and Reciprocity Consortium, that includes requirements  
22 regarding education, exams, degrees, coursework, supervision,  
23 continuing education, and ethics for individuals seeking a certified  
24 co-occurring disorders professional certification from the

1 Consortium. The requirement to meet these standards shall never  
2 fall below the requirements set forth by the Consortium on June 1,  
3 2008.

4 9. "Licensed alcohol and drug counselor" means any person who  
5 provides alcohol and drug counseling services within the scope of  
6 practice, including co-occurring disorders, for compensation to any  
7 person and is licensed pursuant to the provisions of the Licensed  
8 Alcohol and Drug Counselors Act. The term "licensed alcohol and  
9 drug counselor" shall not include those professions exempted by  
10 Section 1872 of this title;

11 10. "Licensed alcohol and drug counselor/mental health" or  
12 "LADC/MH" means a licensed alcohol and drug counselor who has been  
13 determined by the Board to meet the requirements to include the  
14 assessment, diagnosis, and treatment of mental health disorders  
15 within the counselor's scope of practice, regardless of whether the  
16 mental health disorders are co-occurring;

17 11. "Recovery" means a voluntary lifestyle, maintained as the  
18 result of one's diagnosis, treatment or self-disclosure of a  
19 substance abuse disorder, characterized by complete abstinence from  
20 alcohol, and all other mind altering drugs or chemicals except  
21 tobacco and drugs used as prescribed by an authorized licensed  
22 medical professional and the absence of pathological compulsive  
23 behavior;

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1       ~~11.~~ 12. "Relapse" means the resumption of use of alcohol or  
2 other mind-altering drugs or chemicals, except tobacco and drugs  
3 used as prescribed by an authorized licensed medical professional,  
4 or resumption of pathological compulsive behavior, despite having  
5 previously been diagnosed, treated or self-disclosed as having a  
6 substance abuse disorder and been in recovery;

7       ~~12.~~ 13. "Supervisor" means:

- 8           a. a licensed alcohol and drug counselor who meets the  
9 requirements established by the board to supervise  
10 certified alcohol and drug counselors, certified  
11 alcohol and drug counselor candidates or licensed  
12 alcohol and drug counselor candidates and has been  
13 approved by the Oklahoma Board of Licensed Alcohol and  
14 Drug Counselors as a supervisor, or
- 15           b. a licensed mental health professional approved by the  
16 Board to supervise certified alcohol and drug  
17 counselors who have received co-occurring  
18 certification, certified alcohol and drug counselors  
19 who are candidates for co-occurring certification or  
20 licensed alcohol drug and counselors who are  
21 candidates for co-occurring certification;

22       ~~13.~~ 14. "Substance abuse disorder" means the repeated  
23 pathological use of substances including alcohol and other mind-  
24 altering drugs or chemicals, except tobacco, or repeated

1 pathological compulsive behaviors which cause physical,  
2 psychological, emotional, economic, legal, social or other harm to  
3 the individual afflicted or to others affected by the individual's  
4 affliction. As used in the Licensed Alcohol and Drug Counselors  
5 Act, substance abuse disorder shall include not only those instances  
6 where withdrawal from or tolerance to the substance is present but  
7 also those instances involving use and abuse of substances;

8 ~~14.~~ 15. "Supervised practicum experience" means volunteer or  
9 paid work experience in the core functions of substance abuse  
10 counseling as delineated by the Oklahoma Board of Licensed Alcohol  
11 and Drug Counselors;

12 ~~15.~~ 16. "Supervised work experience" means voluntary or paid  
13 work experience in providing alcohol and drug counseling services to  
14 individuals under the supervision of a licensed alcohol and drug  
15 counselor; and

16 ~~16.~~ 17. "Scope of practice" means acting within the boundaries  
17 of competence based on education, training, supervised experience,  
18 state and national professional credentials, and appropriate  
19 professional experience.

20 SECTION 2. AMENDATORY 59 O.S. 2011, Section 1876, is  
21 amended to read as follows:

22 Section 1876. A. Unless exempt pursuant to Section 1872 of  
23 this title, ~~on and after January 1, 2005,~~ any person wishing to  
24 practice alcohol and drug counseling in this state shall obtain a

1 certificate or license to practice pursuant to the provisions of the  
2 Licensed Alcohol and Drug Counselors Act.

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

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

- 13 1. Be possessed of good moral character;
- 14 2. Pass an examination based on standards established by the  
15 International Certification and Reciprocity Consortium, any  
16 successor organization to the International Certification and  
17 Reciprocity Consortium or another national or international  
18 organization recognized by the Board to have similar standards equal  
19 to or higher than the International Certification and Reciprocity  
20 Consortium;
- 21 3. Be at least twenty-one (21) years of age;
- 22 4. Not have engaged in, nor be engaged in, any practice or  
23 conduct which would be grounds for denying, revoking or suspending a  
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1 license pursuant to the provisions of the Licensed Alcohol and Drug  
2 Counselors Act; and

3 5. Otherwise comply with the rules promulgated by the Board  
4 pursuant to the provisions of the Licensed Alcohol and Drug  
5 Counselors Act.

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

11 ~~1. At a minimum, a master's degree in a behavioral science~~  
12 ~~field that is recognized by the Oklahoma Board of Licensed Alcohol~~  
13 ~~and Drug Counselors as appropriate to practice as a licensed alcohol~~  
14 ~~and drug counselor;~~

15 ~~2. Successfully completed at least one (1) year of full-time~~  
16 ~~supervised work experience. For the purpose of the Licensed Alcohol~~  
17 ~~and Drug Counselors Act, "one (1) year of full-time work experience"~~  
18 ~~shall be defined as two thousand (2,000) hours of work experience,~~  
19 ~~of which at least one thousand (1,000) hours shall consist of~~  
20 ~~providing alcohol and drug counseling services to an individual~~  
21 ~~and/or the individual's family;~~

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

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

4       E. ~~Effective January 1, 2012~~ In addition to the qualifications  
5 specified by the provisions of subsection C of this section, an  
6 applicant for a license to practice as a licensed alcohol and drug  
7 counselor shall ~~have~~:

8       1. ~~At~~ Have at least a master's degree in alcohol and substance  
9 abuse counseling or other clinical counseling field recognized by  
10 the Oklahoma Board of Licensed Alcohol and Drug Counselors that  
11 includes, at a minimum, the following knowledge areas and graduate  
12 credit hours ~~described in paragraph 2 of this subsection~~ from a  
13 college or university accredited by an agency recognized by the  
14 United States Department of Education; ~~or~~ :

15       a. three courses in foundational knowledge, including one  
16 course in alcohol and drug addiction, one course in  
17 drug and alcohol counseling theory, and one course in  
18 the pharmacology of drugs and abuse,

19       b. three courses in assessment and treatment of  
20 behavioral health problems, which may include group  
21 dynamics, individual and family counseling skills,  
22 specific counseling approaches, assessment methods,  
23 community resources and referral, or other courses

1 primarily related to the assessment and treatment of  
2 behavioral health problems,

3 c. one course in human development,

4 d. one course in psychopathology,

5 e. one course in multicultural and cultural competency  
6 issues,

7 f. one course in family systems theory,

8 g. one course in addiction in the family theory,

9 h. one course in addiction in the family counseling,

10 i. one course in ethics, which includes established  
11 ethical conduct for alcohol and drug counselors,

12 j. one course in research methods, and

13 k. one three-hour practicum/internship in the field of  
14 drug and alcohol counseling of at least three hundred  
15 (300) clock hours.

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

19 2. ~~a. Possess at least a master's degree in a behavioral~~  
20 ~~science or counseling-related field from a college or~~  
21 ~~university accredited by an agency recognized by the~~  
22 ~~United States Department of Education which is the~~  
23 ~~content equivalent of a graduate degree in alcohol and~~  
24 ~~substance abuse counseling. In order to qualify as a~~

1 ~~"content equivalent" degree, a graduate transcript~~  
2 ~~shall reflect, at a minimum, the following knowledge~~  
3 ~~areas and graduate hours:~~

4 ~~(1) three courses in foundational knowledge,~~  
5 ~~including one course in alcohol and drug~~  
6 ~~addiction, one course in drug and alcohol~~  
7 ~~counseling theory, and one course in the~~  
8 ~~pharmacology of drugs of abuse,~~

9 ~~(2) three courses in assessment and treatment of~~  
10 ~~alcohol and drug problems, which may include~~  
11 ~~group dynamics, individual and family counseling~~  
12 ~~skills, specific counseling approaches,~~  
13 ~~assessment methods, community resources and~~  
14 ~~referral, or other courses primarily related to~~  
15 ~~the assessment and treatment of alcohol and drug~~  
16 ~~problems,~~

17 ~~(3) one course in human development,~~

18 ~~(4) one course in psychopathology,~~

19 ~~(5) one course in multicultural and cultural~~  
20 ~~competency issues,~~

21 ~~(6) one course in family systems theory,~~

22 ~~(7) one course in addiction in the family theory,~~

23 ~~(8) one course in addiction in the family counseling,~~

24

1           ~~(9) one course in ethics, which includes established~~  
2           ~~ethical conduct for alcohol and drug counselors,~~  
3           ~~(10) one course in research methods, and~~  
4           ~~(11) one three-hour practicum/internship in the field~~  
5           ~~of drug and alcohol counseling of at least three~~  
6           ~~hundred (300) clock hours.~~

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

11           ~~Licensed alcohol and drug counselors shall demonstrate, at a~~  
12           ~~minimum, the following specific training that includes, but is not~~  
13           ~~limited to:~~

14           ~~a. specific training for and experience in performing~~  
15           ~~mental health therapeutic, diagnostic or counseling~~  
16           ~~functions,~~

17           ~~b. specific training for and experience in screening,~~  
18           ~~identifying, assessing, and providing properly matched~~  
19           ~~interventions to individuals with co-occurring~~  
20           ~~disorders, and~~

21           ~~c. specific training for and experience in a wide range~~  
22           ~~of diagnostic, therapeutic, and rehabilitative~~  
23           ~~services used in the treatment of mental illness and~~  
24           ~~co-occurring disorders, or~~

1 ~~d. in lieu of such training, be a licensed mental health~~  
2 ~~professional as defined by Section 1-103 of this title~~

3 Have successfully completed at least one (1) year of full-time  
4 supervised work experience providing behavioral health services.

5 For the purpose of the Licensed Alcohol and Drug Counselors Act, one  
6 (1) year of full-time work experience shall mean two thousand  
7 (2,000) hours of work experience, of which at least one thousand  
8 (1,000) hours shall consist of direct client contact; or

9 3. Be a licensed mental health professional as defined in  
10 Section 1-103 of Title 43A of the Oklahoma Statutes and have  
11 completed a minimum of fifteen (15) hours in master's level  
12 substance abuse specific coursework, including, but not limited to,  
13 chemical addiction, counseling, alcohol/drug counseling theory,  
14 pharmacology of drugs and abuse, assessment and treatment of alcohol  
15 and drug problems, theories in family addiction, and/or family  
16 addiction counseling.

17 E. The scope of practice of a licensed alcohol and drug  
18 counselor who meets the educational requirements set forth in  
19 paragraph 1 of subsection D of this section may include the  
20 assessment, diagnosis, and treatment of mental health disorders.

21 Licensees who have been determined by the Board to meet these  
22 requirements shall have the designation "licensed alcohol and drug  
23 counselor/mental health" or "LADC/MH" noted on their license and  
24 wallet card.

1 F. The scope of practice of a licensed alcohol and drug  
2 counselor who made application for license or who was licensed prior  
3 to the effective date of the educational requirements set forth in  
4 paragraph 1 of subsection D of this section shall not include the  
5 assessment, diagnosis, and treatment of mental health disorders  
6 unless:

7 1. The licensed alcohol and drug counselor holds a master's  
8 degree that meets the educational requirements for licensure in the  
9 following behavioral health professions:

10 a. licensed professional counselor as defined in Section  
11 1902 of Title 59 of the Oklahoma Statutes,

12 b. licensed clinical social worker as defined in Section  
13 1250.1 of Title 59 of the Oklahoma Statutes,

14 c. licensed marital and family therapist as defined in  
15 Section 1925.2 of Title 59 of the Oklahoma Statutes,

16 or

17 d. licensed behavioral practitioner as defined in Section  
18 1931 of Title 59 of the Oklahoma Statutes; or

19 2. The licensed alcohol and drug counselor holds a valid Co-  
20 Occurring Disorders Certification based on standards established by  
21 the International Certification and Reciprocity Consortium, any  
22 successor organization to the International Certification and  
23 Reciprocity Consortium, or any other national or international  
24 organization recognized by the Board to have similar standards equal

1 to or higher than the International Certification and Reciprocity  
2 Consortium.

3 ~~F. Effective January 1, 2005, except as provided in subsection~~  
4 ~~G of this section~~ G. In addition to the qualifications specified in  
5 subsection C of this section, each applicant for a certificate to  
6 practice as a certified alcohol and drug counselor shall have:

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

11 2. Successfully completed at least two (2) years of full-time  
12 supervised work experience. For the purpose of the Licensed Alcohol  
13 and Drug Counselors Act, "two years of full-time work experience"  
14 shall be defined as four thousand (4,000) hours of work experience  
15 of which at least two thousand (2,000) hours shall consist of  
16 providing alcohol and drug counseling services to an individual  
17 and/or the individual's family;

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

21 4. Successfully completed, as part of or in addition to the  
22 education requirements established in paragraph 3 of this  
23 subsection, a minimum of forty-five (45) clock hours of specialized  
24 training approved by the Board in identifying co-occurring disorders

1 and making appropriate referrals for treatment of co-occurring  
2 disorders; and

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

6 ~~G. 1. Subject to application to the Board, prior to November~~  
7 ~~1, 2005, any person practicing in the State of Oklahoma at the time~~  
8 ~~of application and holding a certificate in alcohol and drug~~  
9 ~~counseling from any state or nationally recognized certifying body~~  
10 ~~or agency recognized by the Board and issued on or before December~~  
11 ~~31, 2004, shall be granted a certificate under the Licensed Alcohol~~  
12 ~~and Drug Counselors Act.~~

13 ~~2. Subject to application to the Board, prior to November 1,~~  
14 ~~2005, any person practicing in the State of Oklahoma at the time of~~  
15 ~~application and holding a certificate in alcohol and drug counseling~~  
16 ~~from any state or nationally recognized certifying body or agency~~  
17 ~~recognized by the Board and issued on or before December 31, 2004,~~  
18 ~~and a master's degree, as provided in paragraph 1 of subsection D of~~  
19 ~~this section, shall be granted a license under this act.~~

20 H. ~~On and after January 1, 2009, any~~ Any licensed or certified  
21 alcohol and drug counselor wishing to be certified for co-occurring  
22 disorders in this state may obtain such certification pursuant to  
23 the provisions of the Licensed Alcohol and Drug Counselors Act.

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1 I. An application by a licensed or certified alcohol and drug  
2 counselor for certification for co-occurring disorders shall be made  
3 to the Oklahoma Board of Licensed Alcohol and Drug Counselors in  
4 writing. Such application shall be on a form and in a manner  
5 prescribed by the Board. The application shall be accompanied by  
6 the fee required by Section 1884 of this title, which shall be  
7 retained by the Board and not returned to the applicant.

8 J. Each applicant for certification for co-occurring disorders  
9 shall:

10 1. Be possessed of good moral character;

11 2. Be a licensed or certified alcohol and drug counselor in  
12 good standing with the Board;

13 3. Meet the requirements promulgated by the Board to establish  
14 the applicant's competency to include treatment of co-occurring  
15 disorders within his or her scope of practice;

16 4. Be at least twenty-one (21) years of age;

17 5. Not have engaged in, nor be engaged in, any practice or  
18 conduct which would be grounds for denying, revoking or suspending a  
19 license pursuant to the provisions of the Licensed Alcohol and Drug  
20 Counselors Act; and

21 6. Otherwise comply with the rules promulgated by the Board  
22 pursuant to the provisions of the Licensed Alcohol and Drug  
23 Counselors Act.

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SECTION 3. This act shall become effective November 1, 2012.

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