

# MAINE STATE LEGISLATURE

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STATE OF MAINE  
SENATE  
115TH LEGISLATURE  
FIRST REGULAR SESSION

COMMITTEE AMENDMENT "A " to S.P. 505, L.D. 1343, Bill, "An Act Related to the Board of Licensure for Substance Abuse Counselors"

Amend the bill by striking out the title and substituting the following:

'An Act Relating to the State Board of Substance Abuse Counselors'

Further amend the bill by inserting after the enacting clause and before section 1 the following:

'Sec. 1. 22 MRSA §§7208 and 7209 are enacted to read:

§7208. Service provider report

A community-based service provider shall provide to the State Board of Substance Abuse Counselors by January 31st of each year a listing of the number of clients to whom treatment was provided in the last year, the total elapsed time between the first and last visits of each client, the total number of times each client was seen, the number of clients seen during the year who at the end of that year are still in treatment by that provider and the number of clients who have completed treatment. The department shall make providers aware of the requirement for filing this report.

Each year by January 31st the department shall provide to the State Board of Substance Abuse Counselors a list of certified individual providers.

§7209. Client complaints

At the time a client is referred for treatment, the person making the referral shall inform the client that any complaints concerning a community-based service provider may be made to the State Board of Substance Abuse Counselors and shall provide an address for the board.

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2 At the first meeting with a client the community-based  
3 service provider treating the client shall inform the client that  
4 any complaints concerning the provider may be made to the State  
5 Board of Substance Abuse Counselors.'

6  
7 Further amend the bill in section 18 in subsection 7 in the  
8 3rd and 4th lines (page 6, lines 33 and 34 in L.D.) and in the  
9 6th and 7th lines (page 6, lines 37 and 38 in L.D.) and in the  
10 11th line (page 6, line 42 in L.D.) by striking out the  
11 following: ", certification"

12  
13 Further amend the bill in section 19 in the first line (page  
14 7, line 1 in L.D.) by striking out the following: "10" and  
15 inserting in its place the following: '11'

16  
17 Further amend the bill in section 19 by adding at the end  
18 the following:

19 '11. Service provider reports. The board shall keep on  
20 file for 2 years the service provider reports furnished under  
21 Title 22, section 7208. The board shall use the list supplied by  
22 the Department of Human Services under that section as an aid to  
23 ensure that all providers file the reports required by that  
24 section and that those reports are accurate. The board may take  
25 disciplinary action under subchapter IV for failure to provide  
26 the required reports and for intentional inaccuracies in the  
27 reported information. The board shall make a statistical  
28 compilation of these individual reports at the end of each year.'

29  
30 Further amend the bill in section 22 in that part designated  
31 "§6214-A." by striking out all of subsections 1 and 2 and  
32 inserting in their place the following:

33  
34 '1. Licensed substance abuse counselor. The board shall  
35 issue a license to practice as a licensed substance abuse  
36 counseling counselor upon the affirmative vote of at least 5 of  
37 members of the board to any applicant who has satisfactorily met  
38 the following minimal requirements:

39  
40 A. Met the eligibility requirements set forth in section  
41 6213;

42  
43 B. Obtained a passing grade, as established by the board,  
44 on any the written and oral examinations the board may  
45 prescribe has prescribed by its rules;

46  
47 ~~C. Completed 30 semester hours of college-level course work~~  
48 ~~in appropriate social science fields or its equivalent in~~  
49 ~~appropriate substance abuse training; and~~

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2           C-1. Obtained at least an associate's degree in an  
4           appropriate social science field from an accredited  
6           institution or program approved by the board with a  
          concentration of course work in the 12 core functions  
          defined by rule of the board;

8           ~~D. -- Met any other criteria the board may prescribe by its~~  
10          ~~rules.~~

12          D-1. Completed a minimum of 4,000 supervised direct client  
14          service hours in the 12 core functions defined by rule of  
16          the board. This work experience may be gained in any  
          supervised activity, including volunteer work or student  
          placement, that relates to the core functions described in  
          the board's licensing examination; and

18          E. Provided documentation of experience with a wide range  
20          of clients, in a wide range of treatment settings while  
          working independently.

22          2. Associate substance abuse counselor. The board may  
24          issue a ~~certificate of registration~~ license to practice as an  
26          associate substance abuse counselor upon the affirmative vote of  
          5.6 members of the board to any applicant who has met the  
          following minimal requirements:

28           A. Met the eligibility requirements set forth in section  
30           6213;

32           B. Obtained a passing grade, as established by the board,  
34           on the written exam ~~and a provisionally passing grade on the~~  
          ~~oral exam, as established by the board and prescribed by its~~  
          rules; and

36           ~~G. -- Met any other criteria the board may prescribe by its~~  
38           ~~rules.~~

40           C-1. Completed 300 clock hours of education in appropriate  
42           social science fields or its equivalent in appropriate  
44           substance abuse training, with at least 50% of the education  
          in college level courses related to the 12 core functions  
          defined by rule of the board;

46           D. Completed 4,000 supervised direct client service hours  
48           in the 12 core functions defined by rule of the board. This  
          work experience may be gained in any supervised activity,  
          including volunteer work or student placement, that relates  
          to the core functions; and

2 E. Provided documentation of experience in substance abuse  
 4 counseling in one particular setting or client population.'

6 Further amend the bill in section 25 by striking out all of  
 that part designated "§6215." and inserting in its place the  
 following:

8 '§6215. Application; membership fees

10 Application for registration as a registered substance abuse  
 12 counselor, licensure as a licensed substance abuse counselor or  
 certification as an associate substance abuse counselor must be  
 14 on forms prescribed and furnished by the board. Application and  
 examination fees may be established by the board in amounts that  
 16 are reasonable and necessary for their respective purposes. A  
~~biennial registration fee for registered substance abuse~~  
 18 ~~counselors must be established by the board in an amount not to~~  
~~exceed \$50 biennially. A biennial registration fee for licensed~~  
 20 ~~substance abuse counselors and associate substance abuse~~  
~~counselors must be established by the board in an amount not to~~  
 22 ~~exceed \$100. Successful applicants shall pay biennial fees of~~  
\$75 for registration, \$100 for licensure as an associate  
 24 substance abuse counselor and \$150 for licensure as a substance  
abuse counselor. The payment of fees is suspended during the  
 26 term of inactive status.'

28 Further amend the bill in section 30 in that part designated  
 "§6218." in the first paragraph in the 6th line (page 12, line 1  
 30 in L.D.) by striking out the following: "license, registration or  
certification" and inserting in its place the following: 'license  
 32 or registration'

34 Further amend the bill in section 31 in that part designated  
 "§6219." by striking out the 3rd sentence (page 12, lines 20 to  
 36 24 in L.D.) and inserting in its place the following: 'A fee for  
 renewal of license or certificate of registration is \$100 \$150  
 38 biennially for licensing, \$100 biennially, for licensure as an  
associate substance abuse counselor and \$50 \$75 biennially for  
 40 registration, due and payable on or before the expiration date.'

42 Further amend the bill by inserting after section 32 the  
 following:

44 'Sec. 33. Allocation. The following funds are allocated from  
 46 Other Special Revenue funds to carry out the purposes of this Act.

2  
 4 **PROFESSIONAL AND FINANCIAL**  
**REGULATION,**  
 6 **DEPARTMENT OF**  
 8 **State Board of Substance Abuse**  
**Counselors**

		1991-92	1992-93
10	All Other	\$10,500	\$7,500

12 Provides funds for postage  
 14 and printing costs associated  
 with rulemaking and for  
 16 evaluator services.'

18 Further amend the bill by renumbering the sections to read  
 consecutively.

20 Further amend the bill by inserting before the statement of  
 fact the following:

**FISCAL NOTE**

		1991-92	1992-93
26	<b>APPROPRIATIONS/ALLOCATIONS</b>		
28	Other Funds	\$10,500	\$7,500

**REVENUES**

		1991-92	1992-93
30	Other Funds	\$10,500	\$10,500

34 This bill requires the State Board of Substance Abuse  
 36 Counselors to adopt a code of ethics and develop a plan to  
 38 upgrade the educational requirements for licensure as a substance  
 abuse counselor. Allocations of Other Special Revenue funds of  
 \$10,500 in fiscal year 1991-92 and \$7,500 in fiscal year 1992-93  
 40 to the State Board of Substance Abuse Counselors are required for  
 the postage and printing costs related to rulemaking and planning  
 42 and for evaluator services. The bill also increases licensure  
 fees which will generate an additional \$10,500 in dedicated  
 44 revenues to the board annually beginning in fiscal year 1991-92.

46 The costs associated with notifying community-based service  
 providers of the reporting requirement and providing a list of  
 48 certified individual providers to the board will be absorbed  
 within the budgeted resources of the Driver Education Evaluation  
 50 Program within the Department of Human Services.'

2

## STATEMENT OF FACT

4           The original bill makes a number of changes in the law  
regulating substance abuse counselors. This amendment adds a  
6           requirement that substance abuse counselors who are service  
providers under the Driver Education Evaluation Program must  
8           report annually to the State Board of Substance Abuse Counselors  
concerning the number of clients they have treated and have  
10          currently under treatment. The amendment corrects a technical  
error in which the desired amendments to the qualifications for  
12          licensed and associate substance abuse counselors were placed in  
each other's sections. It also requires associate counselors be  
14          licensed rather than certified. The amendment changes the  
licensing and registration fees from \$250 in the original bill to  
16          \$150. The current fee is \$100.

18           This amendment also adds an allocation section and a fiscal  
note to the bill.

20

Reported by Senator Baldaeci for the Committee on Business  
Legislation. Reproduced and Distributed Pursuant to Senate  
Rule 12.

(6/4/91)

(Filing No. S-294)