



## **125th MAINE LEGISLATURE**

## FIRST REGULAR SESSION-2011

**Legislative Document** 

No. 406

H.P. 324

House of Representatives, February 8, 2011

Resolve, To Clarify the Scope of Practice of Licensed Alcohol and Drug Counselors Regarding Tobacco Use

(EMERGENCY)

Reference to the Committee on Labor, Commerce, Research and Economic Development suggested and ordered printed.

Heath & Print

HEATHER J.R. PRIEST Clerk

Presented by Representative CAIN of Orono. Cosponsored by Senator ALFOND of Cumberland and Representatives: EVES of North Berwick, SANBORN of Gorham, STRANG BURGESS of Cumberland, STUCKEY of Portland.

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1 **Emergency preamble. Whereas,** acts and resolves of the Legislature do not 2 become effective until 90 days after adjournment unless enacted as emergencies; and

- 3 **Whereas,** tobacco use continues to take a significant and yet largely preventable toll 4 on the health of Maine residents and drains the economic resources of the State; and
  - Whereas, tobacco addiction affects a large proportion of Maine residents; and

6 **Whereas,** licensed alcohol and drug counselors are available to provide assistance to 7 Maine residents, and there is evidence to suggest that providing tobacco addiction 8 counseling services concurrently with other addiction counseling services is effective; 9 and

10 **Whereas,** in the judgment of the Legislature, these facts create an emergency within 11 the meaning of the Constitution of Maine and require the following legislation as 12 immediately necessary for the preservation of the public peace, health and safety; now, 13 therefore, be it

14 Sec. 1. Rulemaking. Resolved: That the Department of Professional and 15 Financial Regulation, State Board of Alcohol and Drug Counselors shall adopt rules for the licensure of alcohol and drug counselors by October 1, 2011 to define "drug," "drug 16 addiction" and "drug abuse" to include tobacco as a drug, tobacco addiction as a drug 17 18 addiction and tobacco abuse as drug abuse. The new definitions must clarify that for licensed alcohol and drug counselors tobacco addiction is included as a drug addiction 19 20 and that treatment for tobacco addiction is within their scope of practice. Rules adopted pursuant to this section are routine technical rules as defined in the Maine Revised 21 22 Statutes, Title 5, chapter 375, subchapter 2-A.

Emergency clause. In view of the emergency cited in the preamble, this
legislation takes effect when approved.

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## **SUMMARY**

This resolve directs the Department of Professional and Financial Regulation, State Board of Alcohol and Drug Counselors to adopt rules for the licensure of alcohol and drug counselors by October 1, 2011 to include tobacco addiction as a drug addiction and clarify that treatment for tobacco addiction is within an alcohol and drug counselor's scope of practice.