

MAINE STATE LEGISLATURE

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128th MAINE LEGISLATURE

FIRST REGULAR SESSION-2017

Legislative Document

No. 1376

H.P. 955

House of Representatives, April 11, 2017

**An Act To Remove Barriers to Workforce Development in Alcohol
and Drug Counseling and To Increase the MaineCare
Reimbursement Rates for Certain Counselors**

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

Handwritten signature of Robert B. Hunt in cursive.

ROBERT B. HUNT
Clerk

Presented by Representative GRANT of Gardiner.
Cosponsored by Senator BELLOWS of Kennebec and
Representatives: BATES of Westbrook, BEEBE-CENTER of Rockland, McCREIGHT of
Harpwell, SYLVESTER of Portland, Senators: DION of Cumberland, SAVIELLO of
Franklin.

1 **Be it enacted by the People of the State of Maine as follows:**

2 **Sec. 1. 22 MRSA §3174-L, sub-§3** is enacted to read:

3 **3. Licensed clinical professional counselors.** A licensed clinical professional
4 counselor, as defined in Title 32, section 13851, subsection 2, must be eligible to receive
5 MaineCare reimbursement for counseling services at the same rate as a licensed clinical
6 social worker, as defined in Title 32, section 7001-A, subsection 6.

7 **Sec. 2. 32 MRSA §6207-B** is enacted to read:

8 **§6207-B. Confidential information**

9 The nonbusiness address of a person licensed or certified under this chapter is
10 confidential, not open to the public and not a public record as defined in Title 1, section
11 402, subsection 3.

12 **Sec. 3. 32 MRSA §6214-D, sub-§1, ¶D**, as enacted by PL 2003, c. 347, §16 and
13 affected by §25, is amended to read:

14 D. Meet one of the following ~~educational~~ requirements:

15 (1) ~~A high school diploma or its equivalent, course work as defined by board~~
16 ~~rule and a minimum of 6,000 hours of documented supervised practice in alcohol~~
17 ~~and drug counseling or 2,000 hours if the applicant holds a valid certified alcohol~~
18 ~~and drug counselor certification and 2,000 hours of documented supervised~~
19 ~~practice in alcohol and drug counseling;~~

20 (2) An associate or bachelor's degree from an accredited college or university in
21 clinically based behavioral sciences or addiction counseling or a related field as
22 defined by board rule, course work as defined by board rule and a minimum of
23 ~~4,000~~ 2,000 hours of documented supervised practice in alcohol and drug
24 counseling; or

25 (3) A master's degree from an accredited college or university in clinically based
26 behavioral sciences or addiction counseling or a related field as defined by board
27 rule, course work as defined by board rule and a minimum of ~~2,000~~ 1,000 hours
28 of documented supervised practice in alcohol and drug counseling.

29 **Sec. 4. 32 MRSA §6216**, as repealed and replaced by PL 2003, c. 347, §18 and
30 affected by §25, is amended to read:

31 **§6216. Examinations**

32 The board shall prepare an examination to measure the competence of an applicant to
33 engage in the practice of alcohol and drug counseling in accordance with this chapter.
34 The board may employ and cooperate with any organization or consultant in the
35 preparation, administration and grading of an examination. The board may adopt rules
36 establishing examination criteria. Applicants for examination must pay an examination
37 fee as set under section 6215. Examinations must be offered at least once every month
38 and must be conducted if there is an applicant. A license or certificate must be issued

1 within 10 business days of a passing examination score. An applicant may submit
2 applications for the examination and the license or certificate at the same time.

3 **Sec. 5. MaineCare reimbursement rates increased.** No later than October 1,
4 2017, the Department of Health and Human Services shall increase rates of
5 reimbursement under the MaineCare Benefits Manual, rule Chapter 101: Chapters II and
6 III, Sections 13, 17, 23, 28, 65 and 97 by a net increase of 20% over the reimbursement
7 rate as of June 30, 2016.

8 **Sec. 6. State Board of Alcohol and Drug Counselors to amend rules.** No
9 later than January 1, 2018, the Department of Professional and Financial Regulation,
10 State Board of Alcohol and Drug Counselors shall amend its rules regarding continuing
11 professional education for alcohol and drug counselors as follows.

12 1. Reduce the hours for continuing professional education for certified alcohol and
13 drug counselors from 24 contact hours every 2 years to 18 contact hours every 2 years.

14 2. Reduce the hours for continuing professional education for licensed alcohol and
15 drug counselors from 36 contact hours every 2 years to 25 contact hours every 2 years.

16 3. Reduce the hours for continuing professional education for licensed alcohol and
17 drug counselors who are also certified clinical supervisors from a total of 48 contact
18 hours every 2 years to a total of 37 contact hours every 2 years.

19 4. Increase the maximum hours allowed for distance learning as a permissible
20 continuing education activity from 10 hours to 20 hours.

21 Rules adopted pursuant to this section are routine technical rules as defined in the
22 Maine Revised Statutes, Title 5, chapter 375, subchapter 2-A.

23 SUMMARY

24 This bill directs the Department of Health and Human Services to increase the rates
25 of reimbursement under the MaineCare Benefits Manual, rule Chapter 101: Chapters II
26 and III, Sections 13, 17, 23, 28, 65 and 97 by 20% over the rates in June 2016 by October
27 1, 2017.

28 The bill also makes the following changes to the laws and rules regulating alcohol
29 and drug counselors.

30 1. It requires reimbursement under the MaineCare program for the services of a
31 licensed clinical professional counselor at the same rate as a licensed clinical social
32 worker.

33 2. It allows a person to qualify as a licensed alcohol and drug counselor if that person
34 holds a certified alcohol and drug counseling certificate and completes 2,000 hours of
35 practice in alcohol and drug counseling.

1 3. It reduces the number of hours of documented supervised practice in counseling
2 required to qualify as a licensed alcohol and drug counselor.

3 4. It requires the Department of Professional and Financial Regulation, State Board
4 of Alcohol and Drug Counselors to offer qualifying examinations at least once every
5 month and conduct the examination if there is an applicant and to issue a license or
6 certificate within 10 days of a passing examination score. It also allows an applicant to
7 submit an application for the examination and the license at the same time.

8 5. It makes the home addresses of certified and licensed alcohol and drug counselors,
9 certified clinical supervisors and alcohol and drug counseling aides confidential.

10 6. It reduces the required number of contact hours in continuing professional
11 education for certified and licensed alcohol and drug counselors.