

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2007

S

1

SENATE BILL 2117*

Short Title: Amend Substance Abuse Professionals Act.

(Public)

Sponsors: Senators Nesbitt; and Bingham.

Referred to: Health Care.

May 28, 2008

A BILL TO BE ENTITLED

1
2 AN ACT TO MAKE CERTAIN CLARIFYING CHANGES TO THE NORTH
3 CAROLINA SUBSTANCE ABUSE PROFESSIONAL PRACTICE ACT, TO
4 CLARIFY THE REQUIREMENTS OF MEMBERSHIP ON THE NORTH
5 CAROLINA SUBSTANCE ABUSE PROFESSIONAL PRACTICE BOARD
6 UNDER CERTAIN CIRCUMSTANCES, AND TO AMEND THE LAWS
7 REQUIRING A PASSING SCORE ON AN ORAL EXAMINATION THEREBY
8 AFFECTING FEES CHARGED BY THE BOARD UNDER THE LAWS
9 REGULATING SUBSTANCE ABUSE PROFESSIONALS.

10 The General Assembly of North Carolina enacts:

11 **SECTION 1.** G.S. 90-113.31A reads as rewritten:

12 **"§ 90-113.31A. Definitions.**

13 The following definitions shall apply in this Article:

- 14 (1) Applicant. – A person who has initiated a process to become a
15 substance abuse professional pursuant to this Article.
- 16 (2) Applicant supervisor. – A person who provides supervision as required
17 by the Board to persons applying for registration, certification, or
18 licensure as a substance abuse professional pursuant to this Article.
- 19 (3) Board. – The North Carolina Substance Abuse Professional Practice
20 Board.
- 21 (4) Certified clinical supervisor. – A person certified by the Board to
22 practice as a clinical supervisor in accordance with the provisions of
23 this Article.
- 24 (5) Certified criminal justice addictions professional. – A person certified
25 by the Board to practice as a criminal justice addictions professional
26 who, under supervision, provides direct services to clients or offenders
27 exhibiting substance abuse disorders and works in a program
28 determined by the Board to be involved in a criminal justice setting.

- 1 (6) Certified substance abuse counselor. – A person certified by the Board
2 to practice under the supervision of a practice supervisor as a
3 substance abuse counselor in accordance with the provisions of this
4 Article.
- 5 (7) Certified substance abuse prevention consultant. – A person certified
6 by the Board to practice substance abuse prevention in accordance
7 with the provisions of this Article.
- 8 (8) Certified substance abuse residential facility director. – A person
9 certified by the Board to practice as a substance abuse residential
10 facility director in accordance with the provisions of this Article.
- 11 (9) ~~Clinical—Provisional licensed clinical addictions specialist~~
12 ~~intern-specialist.~~ – A ~~person-registrant~~ who successfully completes 300
13 hours of Board-approved supervised practical training ~~and passes a~~
14 ~~written examination~~ in pursuit of licensure as a clinical addictions
15 specialist.
- 16 (10) Clinical supervisor intern. – A person designated by the Board to
17 practice as a clinical supervisor under the supervision of a certified
18 clinical supervisor for a period not to exceed three years without a
19 showing of good cause in accordance with the provisions of this
20 Article.
- 21 (11) Counseling. – The utilization of special skills to assist individuals,
22 families, or groups in achieving objectives, including the following:
23 a. Exploring a problem and its ramifications.
24 b. Examining attitudes and feelings.
25 c. Considering alternative solutions.
26 d. Decision making.
- 27 (12) Credential. – Any registration, certification, or license issued by the
28 Board.
- 29 (13) Credentialing body. – A board that licenses, certifies, registers, or
30 otherwise regulates a profession or practice.
- 31 (14) Criminal history. – A history of conviction of a State crime, whether a
32 misdemeanor or felony, that bears on an applicant's fitness for
33 licensure to practice substance abuse professional services. The crimes
34 include the criminal offenses set forth in any of the following Articles
35 of Chapter 14 of the General Statutes: Article 5, Counterfeiting and
36 Issuing Monetary Substitutes; Article 5A, Endangering Executive and
37 Legislative Officers; Article 6, Homicide; Article 7A, Rape and Other
38 Sex Offenses; Article 8, Assaults; Article 10, Kidnapping and
39 Abduction; Article 13, Malicious Injury or Damage by Use of
40 Explosive or Incendiary Device or Material; Article 14, Burglary and
41 Other Housebreakings; Article 15, Arson and Other Burnings; Article
42 16, Larceny; Article 17, Robbery; Article 18, Embezzlement; Article
43 19, False Pretenses and Cheats; Article 19A, Obtaining Property or
44 Services by False or Fraudulent Use of Credit Device or Other Means;

1 Article 19B, Financial Transaction Card Crime Act; Article 20,
2 Frauds; Article 21, Forgery; Article 26, Offenses Against Public
3 Morality and Decency; Article 26A, Adult Establishments; Article 27,
4 Prostitution; Article 28, Perjury; Article 29, Bribery; Article 31,
5 Misconduct in Public Office; Article 35, Offenses Against the Public
6 Peace; Article 36A, Riots and Civil Disorders; Article 39, Protection
7 of Minors; Article 40, Protection of the Family; Article 59, Public
8 Intoxication; and Article 60, Computer-Related Crime. The crimes
9 also include possession or sale of drugs in violation of the North
10 Carolina Controlled Substances Act in Article 5 of Chapter 90 of the
11 General Statutes and alcohol-related offenses including sale to
12 underage persons in violation of G.S. 18B-302 or driving while
13 impaired in violation of G.S. 20-138.1 through G.S. 20-138.5.

- 14 (15) Deemed status. – Recognition by the Board of the credentials offered
15 by a professional discipline whereby the individuals certified, licensed,
16 or otherwise recognized by the discipline as having met the standards
17 of a clinical addictions specialist may apply individually for licensure
18 as a licensed clinical addictions specialist.
- 19 (16) Dual relationship. – A relationship in addition to the professional
20 relationship with a person to whom the substance abuse professional
21 delivers services in the Twelve Core Functions or the performance
22 domains, both as defined in rules adopted by the Board, or as provided
23 in a supervisory capacity. These relationships may result in grounds
24 for disciplinary action.
- 25 (17) Human services field. – An area of study that focuses on the
26 biological, psychological, behavioral, and social aspects of human
27 welfare with focus on the direct services designed to improve it.
- 28 (18) Independent study. – Any course of study that is not traditional
29 classroom-based that must be preapproved by the Board or any
30 organization that has deemed status with the Board.
- 31 (19) Licensed clinical addictions specialist. – A person licensed by the
32 Board to practice as a clinical addictions specialist in accordance with
33 the provisions of this Article.
- 34 (20) Practice supervisor. – A certified clinical supervisor, clinical
35 supervisor intern, or licensed clinical addictions specialist who
36 provides oversight and responsibility in a face-to-face capacity for
37 each certified substance abuse counselor or criminal justice addictions
38 professional.
- 39 (21) Prevention. – The reduction, delay, or avoidance of alcohol and of
40 other drug use behavior. "Prevention" includes the promotion of
41 positive environments and individual strengths that contribute to
42 personal health and well-being over an entire life and the development
43 of strategies that encourage individuals, families, and communities to
44 take part in assessing and changing their lifestyles and environments.

- 1 (22) Professional discipline. – A field of study characterized by the
2 technical, educational, and ethical standards of a profession.
- 3 (23) Registrant. – A person who completes all requirements to be registered
4 with the Board and is supervised by a certified clinical supervisor or
5 clinical supervisor intern.
- 6 (24) Substance abuse counseling. – The assessment, evaluation, and
7 provision of counseling and therapeutic service to persons suffering
8 from substance abuse or dependency.
- 9 (25) Substance abuse counselor intern. – A ~~person—registrant~~ who
10 successfully completes 300 hours of Board-approved supervised
11 practical training and ~~passes a written examination~~ in pursuit of
12 credentialing as a substance abuse counselor.
- 13 (26) Substance abuse professional. – A registrant, certified substance abuse
14 counselor, substance abuse counselor intern, certified substance abuse
15 prevention consultant, certified clinical supervisor, ~~clinical addictions~~
16 ~~specialist intern~~, provisional licensed clinical addictions specialist,
17 licensed clinical addictions specialist, certified substance abuse
18 residential facility director, or certified criminal justice addictions
19 professional."

20 **SECTION 2.** G.S. 90-113.32 reads as rewritten:

21 **"§ 90-113.32. Board; composition; voting.**

22 (a) The Board is created as the authority to credential substance abuse
23 professionals in North Carolina.

24 (b) ~~Until the full Board is elected or appointed pursuant to subsection (c) of this~~
25 ~~section, the Board shall consist of 16 members with one member appointed by the~~
26 ~~General Assembly upon the recommendation of the Speaker of the House of~~
27 ~~Representatives in accordance with G.S. 120-121, and one member appointed by the~~
28 ~~General Assembly upon the recommendation of the President Pro Tempore of the~~
29 ~~Senate in accordance with G.S. 120-121. The remaining 14 shall be those members of~~
30 ~~the current North Carolina Substance Abuse Professional Practice Board, Inc., who have~~
31 ~~terms that are unexpired as of the effective date of this Article. The initial Board shall~~
32 ~~appoint an initial Nominating and Elections Committee to fill immediate vacancies on~~
33 ~~the Board, using the process established in subsection (d) of this section. The election~~
34 ~~and appointment process of the initial Board shall result in a Board of 19 members by~~
35 ~~April 1, 1995. As these initial members' terms expire, their successors shall be~~
36 ~~appointed as described in subsection (c) of this section, until the permanent Board is~~
37 ~~established, as described in subsection (c) of this section. Time spent as an initial~~
38 ~~member counts in determining the limitation on consecutive terms prescribed in~~
39 ~~subsection (e) of this section.~~

40 (c) After the initial Board members' terms expire, the Board shall consist of the
41 following members, all of whom shall reside in North Carolina, appointed or elected as
42 follows:

- 43 (1) Eleven professionals credentialed pursuant to this Article and elected
44 by the credentialed professionals, at least two of whom shall serve

1 each of the four Division of Mental Health, Developmental
2 Disabilities, and Substance Abuse Services regions of the State. Three
3 members shall serve as members at large.

4 (2) Three members at large chosen from laypersons or other professional
5 disciplines who have shown a special interest in the field of substance
6 abuse, nominated by the Nominating and Elections Committee
7 established by subsection (d) of this section and elected by the Board.

8 (3) Two members from the ~~Division of Mental Health, Developmental~~
9 ~~Disabilities, and Substance Abuse Services~~, Department of Health and
10 Human Services, appointed by the Chief of the ~~North Carolina~~
11 ~~Substance Abuse Single State Agency~~, Community Policy
12 Management of the Division of Mental Health, Developmental
13 Disabilities, and Substance Abuse Services, at least one of whom
14 administers substance abuse services.

15 (4) One member of the public at large appointed by the Governor.

16 (5) One member of the public at large appointed by the General Assembly
17 upon the recommendation of the Speaker of the House of
18 Representatives in accordance with G.S. 120-121 and one member of
19 the public at large appointed by the General Assembly upon the
20 recommendation of the President Pro Tempore of the Senate in
21 accordance with G.S. 120-121.

22 (6) One member shall represent each of the professional disciplines
23 granted deemed status under G.S. 90-113.41A. The member may be
24 appointed by the professional discipline on or before a date set by the
25 Board. If the professional discipline has at least one association in the
26 State, the member shall be chosen from a list of nominees submitted to
27 the association. The members appointed or elected under this
28 subdivision shall be certified as substance abuse specialists by the
29 professional discipline that the members represent.

30 No member of the General Assembly shall serve on the Board.

31 (c1) Every member of the Board shall have the right to vote on all matters before
32 the Board, except for the President who shall vote only in case of a tie or when another
33 member of the Board abstains on the question of whether the professional discipline the
34 member represents shall retain its deemed status.

35 (d) The Board shall appoint five professionals from the field of substance abuse
36 counseling and substance abuse prevention consulting to serve on the Nominating and
37 Elections Committee. Of these five, at least three shall not be members of the Board.
38 The Board shall appoint a member of the Nominating and Elections Committee to serve
39 as chair. The Committee's purpose is to accept nominations from professionals certified
40 or licensed by the Board to fill vacancies on the Board in membership categories
41 prescribed by subdivisions (1) and (2) of subsection (c) of this section and to conduct
42 the election of Board members. The Committee shall solicit nominations from all
43 professionals it has certified or licensed under this Article when elected members' terms
44 are due to expire. The certified or licensed professionals shall submit to the Committee

1 all nominations beginning 90 days and ending 28 days before the election of new Board
2 members. The Committee shall furnish all certified or licensed professionals with a
3 ballot containing all the nominees for each elected Board member vacancy. In soliciting
4 and making nominations for this process, the Committee shall give consideration to
5 factors that promote representation on the Board by professionals certified or licensed
6 by the Board. The Committee shall serve for a two-year term, its successors to be
7 appointed for the same term by the Board.

8 (e) Members of the Board shall serve for four-year terms. No Board member
9 shall serve for more than two consecutive terms, but a person who has been a member
10 for two consecutive terms may be reappointed after being off the Board for a period of
11 at least one year. When a vacancy occurs in an unexpired term, the Board shall, as soon
12 as practicable, appoint temporary members to serve until the end of the unexpired terms.
13 Time spent as a temporary member does not count in determining the limitation on
14 consecutive terms.

15 (f) If a member becomes ineligible to serve on the Board for any reason, except
16 when the member has committed an ethical violation that results in the suspension or
17 revocation of the member's professional credentials, that member may fulfill the
18 remainder of his or her term on the Board."

19 **SECTION 3.** G.S. 90-113.40 reads as rewritten:

20 **"§ 90-113.40. Requirements for certification and licensure.**

21 (a) The Board shall issue a certificate certifying an applicant as a "Certified
22 Substance Abuse Counselor" or as a "Certified Substance Abuse Prevention Consultant"
23 if:

- 24 (1) The applicant is of good moral character.
- 25 (2) The applicant is not and has not engaged in any practice or conduct
26 that would be grounds for disciplinary action under G.S. 90-113.44.
- 27 (3) The applicant is qualified for certification pursuant to the requirements
28 of this Article and any rules adopted pursuant to it.
- 29 (4) The applicant has, at a minimum, a high school diploma or a high
30 school equivalency certificate.
- 31 (5) The applicant has signed a form attesting to the intention to adhere
32 fully to the ethical standards adopted by the Board.
- 33 (5a) The applicant submits to a complete criminal history record check
34 pursuant to G.S. 90-113.46A.
- 35 (6) The applicant has completed 270 hours of Board-approved education.
36 The Board may prescribe that a certain number of hours be in a course
37 of study for substance abuse counseling and that a certain number of
38 hours be in a course of study for substance abuse prevention
39 consulting. Independent study hours shall not compose more than fifty
40 percent (50%) of the total number of hours required for initial
41 credentialing.
- 42 (7) The applicant has documented completion of a minimum of 300 hours
43 of Supervised Practical Training, has provided a Board-approved
44 supervision contract between the applicant and an applicant supervisor,

- 1 and has been deemed recommended by the applicant supervisor to
2 advance in the credentialing process.
- 3 (8) The applicant for substance abuse counselor has completed a total of
4 6,000 hours of supervised experience in the field, whether paid or
5 volunteer. The applicant for substance abuse prevention consultant has
6 completed a total of 6,000 hours supervised experience in the field,
7 whether paid or volunteer, or 4,000 hours if the applicant has at least a
8 bachelors degree in a human services field from a regionally
9 accredited college or university.
- 10 (9) The applicant has obtained a passing score on a written examination.
11 ~~An applicant for certification as a substance abuse counselor must also~~
12 ~~obtain a passing score on an oral examination promulgated and~~
13 ~~administered by the Board.~~
- 14 (b) The Board shall issue a certificate certifying an individual as a "Certified
15 Clinical Supervisor" ~~if, in addition to meeting the requirements of subdivisions (a)(1)~~
16 ~~through (5a) of this section, if~~ the applicant:
- 17 (1) Submits proof of designation by the Board as a clinical supervisor
18 intern.
- 19 (2) ~~Prior to June 30, 1998, the applicant presents proof that the applicant~~
20 ~~has 12,000 hours experience in alcohol and drug abuse counseling and~~
21 ~~a bachelors degree or 8,000 hours experience in alcohol and drug~~
22 ~~abuse counseling and a minimum of a master's degree. After June 30,~~
23 ~~1998, the applicant shall present~~Submits proof that the applicant has a
24 minimum of a master's degree in a human services field with a clinical
25 application from a regionally accredited college or university.
- 26 (3) ~~Has 6,000 hours experience as a substance abuse clinical supervisor if~~
27 ~~the applicant has a bachelors degree or 4,000 hours experience if the~~
28 ~~applicant has a master's degree in a human services field with a clinical~~
29 ~~application from a regionally accredited college or university as a~~
30 substance abuse clinical supervisor as documented by his or her
31 certified clinical supervisor.
- 32 (4) Has 30 hours of substance abuse clinical supervision specific
33 education or training. These hours shall be reflective of the Twelve
34 Core Functions in the applicant's clinical application and practice and
35 may also be counted toward the applicant's renewal as a substance
36 abuse counselor or a clinical addictions specialist.
- 37 (5) Submits a letter of reference from a ~~professional~~certified clinical
38 supervisor who can attest to the applicant's supervisory competence
39 and two letters of reference from either counselors who have been
40 supervised by the applicant or professionals who can attest to the
41 applicant's competence.
- 42 (6) Obtains a passing score on a written examination administered by the
43 Board.

1 ~~A person who practices as a certified clinical supervisor in addition to practicing as a~~
2 ~~certified substance abuse counselor shall be exempt from the practice supervision~~
3 ~~contract requirement.~~

4 (b1) The Board shall designate an applicant as a "Clinical Supervisor Intern" if, in
5 addition to meeting the requirements of subdivisions (a)(1) through (5a) of this section,
6 the applicant meets the following qualifications:

- 7 (1) Submits an application, resume, and official transcript showing that the
8 applicant has obtained a master's degree in a human services field with
9 a clinical application from a regionally accredited college or
10 university.
- 11 (2) Submits verification statements.
- 12 (3) Submits proof of credentialing as a ~~certified substance abuse~~
13 ~~counselor, a licensed clinical addictions specialist, or certification or~~
14 ~~licensure through an organization granted deemed status by the~~
15 ~~Board.~~ specialist.
- 16 (4) Submits documentation establishing that the applicant has completed
17 at least fifty percent of the required clinical supervision specific
18 training hours as defined by the Board.

19 (c) The Board shall issue a license credentialing an applicant as a "Licensed
20 Clinical Addictions Specialist" if, in addition to meeting the requirements of
21 subdivisions (a)(1) through (5a) of this section, the applicant meets one of the following
22 criteria:

- 23 (1) Criteria A. – The applicant:
 - 24 a. Has a minimum of a master's degree with a clinical application
25 in a human services field from a regionally accredited college
26 or university.
 - 27 b. Has two years postgraduate supervised substance abuse
28 counseling experience.
 - 29 c. Submits three letters of reference from licensed clinical
30 addictions specialists or certified substance abuse counselors
31 who have obtained master's degrees.
 - 32 d. Has achieved a ~~combined passing score set by the Board~~ on a
33 master's level written ~~and oral~~ examination administered by the
34 Board.
 - 35 e. Has attained 180 hours of substance abuse specific training
36 from either a regionally accredited college or university, which
37 may include unlimited independent study, or from training
38 events of which no more than fifty percent (50%) shall be in
39 independent study. All hours shall be credited according to the
40 standards set forth in G.S. 90-113.41A.
 - 41 f. The applicant has documented completion of a minimum of 300
42 hours of supervised practical training and has provided a
43 Board-approved supervision contract between the applicant and
44 an applicant supervisor.

- 1 (2) Criteria B. – The applicant:
2 a. Has a minimum of a master's degree with a clinical application
3 in a human services field from a regionally accredited college
4 or university.
5 b. Has been certified as a substance abuse counselor.
6 e. ~~Has one year of postgraduate supervised substance abuse~~
7 ~~counseling experience.~~
8 d. Has achieved a passing score on a master's level written
9 examination administered by the Board.
10 e. Submits three letters of reference from either licensed clinical
11 addictions specialists or certified substance abuse counselors
12 who have obtained master's degrees.
- 13 (3) Criteria C. – The applicant:
14 a. Has a minimum of a master's degree in a human services field
15 with both a clinical application and a substance abuse specialty
16 from a regionally accredited college or university that includes
17 180 hours of substance abuse specific education and training
18 pursuant to G.S. 90-113.41A.
19 b. Has one year of postgraduate supervised substance abuse
20 counseling experience.
21 c. Has achieved a passing score on ~~an oral~~ a master's level written
22 examination administered by the Board.
23 d. Submits three letters of reference from licensed clinical
24 addictions specialists or certified substance abuse counselors
25 who have obtained master's degrees.
- 26 (4) Criteria D. – The applicant has a substance abuse certification from a
27 professional discipline that has been granted deemed status by the
28 Board.
- 29 (d) The Board shall issue a certificate certifying an applicant as a "Substance
30 Abuse Residential Facility Director" if the applicant:
31 (1) Has been credentialed as a substance abuse counselor or a clinical
32 addictions specialist.
33 (2) Has 50 hours of Board approved academic or didactic management
34 specific training or a combination thereof. Independent study may
35 compose up to fifty percent (50%) of the total number of hours
36 required for initial credentialing.
37 (3) Submits letters of reference from the applicant's current supervisor and
38 a colleague or coworker.
- 39 (d1) The Board shall issue a certificate certifying an applicant as a "Certified
40 Criminal Justice Addictions Professional", with the acronym "CCJP", if in addition to
41 meeting the requirements of subdivisions (a)(1) through (5a) of this section, the
42 applicant:
43 (1) Has attained 270 hours of Board-approved education or training,
44 unless the applicant has attained a minimum of a masters degree with a

1 clinical application and a substance abuse specialty from a regionally
2 accredited college or university whereby the applicant must only
3 obtain 180 hours. The hours of education shall be specifically related
4 to the knowledge and skills necessary to perform the tasks within the
5 International Certification and Reciprocity Consortium/Alcohol and
6 Other Drug Abuse, Incorporated, "IC&RC/AODA, Inc.," criminal
7 justice addictions professional performance domains as they relate to
8 both adults and juveniles. Independent study may compose up to fifty
9 percent (50%) of the total number of hours obtained for initial
10 certification or renewal.

11 (2) Has documented 300 hours of Board-approved supervised practical
12 training. This supervision shall mean the administrative, clinical, and
13 evaluative process of monitoring, assessing, and enhancing
14 professional performance. A minimum of 10 hours of supervision in
15 each criminal justice domain established by the IC&RC/AODA, Inc.,
16 is required.

17 (3) Has provided documentation of supervised work experience providing
18 direct service to clients or offenders involved in one of the three
19 branches of the criminal justice system, which include law
20 enforcement, the judiciary, and corrections. The applicant must meet
21 one of the following criteria:

22 a. Criteria A. – In addition to having a high school degree or
23 GED, the applicant has a minimum of 6,000 hours of
24 documented work experience in direct services in criminal
25 justice or addictions services or any combination of these
26 services that have been obtained during the past 10 years.

27 b. Criteria B. – In addition to having an associate degree, the
28 applicant has a minimum of 5,000 hours of documented work
29 experience in direct services in criminal justice or addictions
30 services or any combination of these services obtained during
31 the past 10 years.

32 c. Criteria C. – In addition to having at least a bachelors degree,
33 the applicant has a minimum of 4,000 hours of documented
34 work experience in direct services in criminal justice or
35 addictions services, or any combination of these services, and
36 this experience has been obtained during the past 10 years.

37 d. Criteria D. – In addition to having at least a masters degree in a
38 human services field, the applicant has a minimum of 2,000
39 hours of documented work experience in direct services in
40 criminal justice or addictions services or any combination of
41 these services that has been obtained during the past 10 years.

42 e. Criteria E. – In addition to having at least a masters degree in a
43 human services field with a specialty from a regionally
44 accredited college or university that includes 180 hours of

1 substance abuse specific education or training, the applicant has
2 a minimum of 2,000 hours of postgraduate supervised substance
3 abuse counseling experience.

4 f. Criteria F. – In addition to having obtained the credential of a
5 certified clinical addictions specialist or other advanced
6 credential in a human services field from an organization that
7 has obtained deemed status with the Board, the applicant has a
8 minimum of 1,000 hours of documented work experience in
9 direct services in criminal justice or addictions services that has
10 been obtained during the past 10 years.

11 (4) Has passed the IC&RC/AODA, Inc., certified criminal justice
12 addictions professional written examination.

13 (e) The Board shall publish from time to time information in order to provide
14 specifics for potential applicants of an acceptable educational curriculum and the terms
15 of acceptable supervised fieldwork experience.

16 (f) Effective January 1, 2003, only a person who is certified as a certified clinical
17 supervisor or a clinical supervisor intern shall be qualified to supervise applicants for
18 certified clinical supervisor and certified substance abuse counselor and applicants for
19 licensed clinical addictions specialist who meet the qualifications of their credential
20 other than through deemed status as provided in G.S. 90-113.40(c)(4)."

21 **SECTION 4.** G.S. 90-113.43 reads as rewritten:

22 **"§ 90-113.43. Illegal practice; misdemeanor penalty.**

23 Except as otherwise authorized in this Article, no person shall:

24 (1) Offer substance abuse professional services, practice, attempt to
25 practice, or supervise while holding himself or herself out to be a
26 certified substance abuse counselor, certified substance abuse
27 prevention consultant, certified clinical supervisor, ~~certified or licensed~~
28 clinical addictions specialist, ~~clinical addictions specialist~~
29 intern, provisional licensed clinical addictions specialist, substance
30 abuse residential facility director, certified criminal justice addictions
31 professional, clinical supervisor intern, ~~substance abuse prevention~~
32 ~~consultant~~, substance abuse counselor intern, or registrant without first
33 having obtained a ~~certificate~~ notification of registration, certification,
34 or licensure from the Board.

35 (2) Use in connection with any name any letters, words, numerical codes,
36 or insignia indicating or implying that this person is a registrant,
37 certified substance abuse counselor, certified substance abuse
38 prevention consultant, certified clinical supervisor, licensed clinical
39 addictions specialist, certified substance abuse residential facility
40 director, substance abuse counselor intern, or ~~clinical addictions~~
41 ~~specialist intern~~ provisional licensed clinical addictions specialist
42 unless this person is registered, certified, or licensed pursuant to this
43 Article.

- 1 (3) Practice or attempt to practice as a certified substance abuse counselor,
2 certified substance abuse prevention consultant, certified clinical
3 supervisor, licensed clinical addictions specialist, certified criminal
4 justice addictions professional, or certified substance abuse residential
5 facility director with a revoked, lapsed, or suspended certification or
6 license.
- 7 (4) Aid, abet, or assist any person to practice as a certified substance abuse
8 counselor, certified substance abuse prevention consultant, certified
9 clinical supervisor, licensed clinical addictions specialist, certified
10 substance abuse residential facility director, registrant, substance abuse
11 counselor intern, provisional licensed clinical addictions specialist, or
12 clinical supervisor intern in violation of this Article.
- 13 (5) Knowingly serve in a position required by State law or rule or federal
14 law or regulation to be filled by a registrant, certified substance abuse
15 counselor, certified substance abuse prevention consultant, certified
16 clinical supervisor, licensed clinical addictions specialist, certified
17 substance abuse residential facility director, substance abuse counselor
18 intern, provisional licensed clinical addictions specialist
19 ~~intern, specialist~~, or clinical supervisor intern unless that person is
20 registered, certified, or licensed under this Article.
- 21 (6) Repealed by S.L. 1997-492, s. 13.
- 22 (7) Practice, supervise, or attempt to practice or supervise or knowingly
23 serve in a position required by State law or rule or federal law or
24 regulation to be filled by a designated substance abuse intern or
25 provisional licensed clinical addictions specialist without being
26 designated as such by the Board.

27 A person who engages in any of the illegal practices enumerated by this section is
28 guilty of a Class 1 misdemeanor. Each act of unlawful practice constitutes a distinct and
29 separate offense."

30 **SECTION 5.** G.S. 122C-142.1(b1) reads as rewritten:

31 "(b1) Persons Authorized to Conduct Assessments. – The following individuals are
32 authorized to conduct a substance abuse assessment under subsection (b) of this section:

- 33 (1) A Certified Substance Abuse Counselor (CSAC), as defined by the
34 Commission.
- 35 (2) A Certified Clinical Addiction Specialist (CCAS), as defined by the
36 Commission.
- 37 (3) (Repealed effective October 1, 2008. See note.) A Substance Abuse
38 Counselor Intern who is supervised by a Certified Clinical Supervisor
39 (CCS), as defined by the Commission, and who meets the minimum
40 qualifications established by the Commission for individuals
41 performing substance abuse assessments.
- 42 (4) A person licensed by the North Carolina Medical Board or the North
43 Carolina Psychology Board.

1 (5) A physician certified by the American Society of Addiction Medicine
2 (ASAM).

3 (6) A Certified Criminal Justice Addictions Professional, as certified by
4 the North Carolina Substance Abuse Professional Practice Board.

5 (7) A Provisional Licensed Clinical Addictions Specialist, as registered by
6 the North Carolina Substance Abuse Professional Practice Board."

7 **SECTION 6.** G.S. 122C-142.1(d1) reads as rewritten:

8 "(d1) Persons Authorized to Provide Instruction. – Beginning January 1, 2009,
9 individuals who provide ADET school instruction as a Department-authorized ADETS
10 instructor must have at least one of the following qualifications:

11 (1) Certified Substance Abuse Counselor (CSAC), as defined by the
12 Commission.

13 (2) Certified Clinical Addiction Specialist (CCAS), as defined by the
14 Commission.

15 (3) Certified Substance Abuse Prevention Consultant (CSAPC), as defined
16 by the Commission.

17 (4) Certified Criminal Justice Addictions Professional, as certified by the
18 North Carolina Substance Abuse Professional Practice Board.

19 (5) Provisional Licensed Clinical Addictions Specialist, as registered by
20 the North Carolina Substance Abuse Professional Practice Board."

21 **SECTION 7.** Notwithstanding G.S. 90-113.32(e), members currently
22 serving on the North Carolina Substance Abuse Professional Practice Board who began
23 serving a second consecutive four-year term as of September 1, 2005, may continue to
24 serve on the Board for an additional four-year term.

25 **SECTION 8.** This act is effective when it becomes law.