

**GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2007**

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**SENATE BILL 2117*
Health Care Committee Substitute Adopted 6/5/08**

Short Title: Amend Substance Abuse Professionals Act.

(Public)

Sponsors:

Referred to:

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

- 1 Frauds; Article 21, Forgery; Article 26, Offenses Against Public
2 Morality and Decency; Article 26A, Adult Establishments; Article 27,
3 Prostitution; Article 28, Perjury; Article 29, Bribery; Article 31,
4 Misconduct in Public Office; Article 35, Offenses Against the Public
5 Peace; Article 36A, Riots and Civil Disorders; Article 39, Protection
6 of Minors; Article 40, Protection of the Family; Article 59, Public
7 Intoxication; and Article 60, Computer-Related Crime. The crimes
8 also include possession or sale of drugs in violation of the North
9 Carolina Controlled Substances Act in Article 5 of Chapter 90 of the
10 General Statutes and alcohol-related offenses including sale to
11 underage persons in violation of G.S. 18B-302 or driving while
12 impaired in violation of G.S. 20-138.1 through G.S. 20-138.5.
- 13 (15) Deemed status. – Recognition by the Board of the credentials offered
14 by a professional discipline whereby the individuals certified, licensed,
15 or otherwise recognized by the discipline as having met the standards
16 of a clinical addictions specialist may apply individually for licensure
17 as a licensed clinical addictions specialist.
- 18 (16) Dual relationship. – A relationship in addition to the professional
19 relationship with a person to whom the substance abuse professional
20 delivers services in the Twelve Core Functions or the performance
21 domains, both as defined in rules adopted by the Board, or as provided
22 in a supervisory capacity. These relationships may result in grounds
23 for disciplinary action.
- 24 (17) Human services field. – An area of study that focuses on the
25 biological, psychological, behavioral, and social aspects of human
26 welfare with focus on the direct services designed to improve it.
- 27 (18) Independent study. – Any course of study that is not traditional
28 classroom-based that must be preapproved by the Board or any
29 organization that has deemed status with the Board.
- 30 (19) Licensed clinical addictions specialist. – A person licensed by the
31 Board to practice as a clinical addictions specialist in accordance with
32 the provisions of this Article.
- 33 (20) Practice supervisor. – A certified clinical supervisor, clinical
34 supervisor intern, or licensed clinical addictions specialist who
35 provides oversight and responsibility in a face-to-face capacity for
36 each certified substance abuse counselor or criminal justice addictions
37 professional.
- 38 (21) Prevention. – The reduction, delay, or avoidance of alcohol and of
39 other drug use behavior. "Prevention" includes the promotion of
40 positive environments and individual strengths that contribute to
41 personal health and well-being over an entire life and the development
42 of strategies that encourage individuals, families, and communities to
43 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 (22a) Provisional licensed clinical addictions specialist. – A registrant who
4 successfully completes 300 hours of Board-approved supervised
5 practical training in pursuit of licensure as a clinical addictions
6 specialist.
- 7 (23) Registrant. – A person who completes all requirements to be registered
8 with the Board and is supervised by a certified clinical supervisor or
9 clinical supervisor intern.
- 10 (24) Substance abuse counseling. – The assessment, evaluation, and
11 provision of counseling and therapeutic service to persons suffering
12 from substance abuse or dependency.
- 13 (25) Substance abuse counselor intern. – A ~~person—registrant~~ who
14 successfully completes 300 hours of Board-approved supervised
15 practical training and ~~passes a written examination~~ in pursuit of
16 credentialing as a substance abuse counselor.
- 17 (26) Substance abuse professional. – A registrant, certified substance abuse
18 counselor, substance abuse counselor intern, certified substance abuse
19 prevention consultant, certified clinical supervisor, ~~clinical addictions~~
20 ~~specialist intern,~~ provisional licensed clinical addictions specialist,
21 licensed clinical addictions specialist, certified substance abuse
22 residential facility director, clinical supervisor intern, or certified
23 criminal justice addictions professional."

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

25 **"§ 90-113.32. Board; composition; voting.**

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

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

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

- 4 (1) Eleven professionals credentialed pursuant to this Article and elected
5 by the credentialed professionals, at least two of whom shall serve
6 each of the four Division of Mental Health, Developmental
7 Disabilities, and Substance Abuse Services regions of the State. Three
8 members shall serve as members at large.
- 9 (2) Three members at large chosen from laypersons or other professional
10 disciplines who have shown a special interest in the field of substance
11 abuse, nominated by the Nominating and Elections Committee
12 established by subsection (d) of this section and elected by the Board.
- 13 (3) Two members from the ~~Division of Mental Health, Developmental~~
14 ~~Disabilities, and Substance Abuse Services, Department of Health and~~
15 ~~Human Services, appointed by the Chief of the North Carolina~~
16 ~~Substance Abuse Single State Agency, Community Policy~~
17 Management of the Division of Mental Health, Developmental
18 Disabilities, and Substance Abuse Services, at least one of whom
19 administers substance abuse services.
- 20 (4) One member of the public at large appointed by the Governor.
- 21 (5) One member of the public at large appointed by the General Assembly
22 upon the recommendation of the Speaker of the House of
23 Representatives in accordance with G.S. 120-121 and one member of
24 the public at large appointed by the General Assembly upon the
25 recommendation of the President Pro Tempore of the Senate in
26 accordance with G.S. 120-121.
- 27 (6) One member shall represent each of the professional disciplines
28 granted deemed status under G.S. 90-113.41A. The member may be
29 appointed by the professional discipline on or before a date set by the
30 Board. If the professional discipline has at least one association in the
31 State, the member shall be chosen from a list of nominees submitted to
32 the association. The members appointed or elected under this
33 subdivision shall be certified as substance abuse specialists by the
34 professional discipline that the members represent.

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

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

40 (d) The Board shall appoint five professionals from the field of substance abuse
41 counseling and substance abuse prevention consulting to serve on the Nominating and
42 Elections Committee. Of these five, at least three shall not be members of the Board.
43 The Board shall appoint a member of the Nominating and Elections Committee to serve
44 as chair. The Committee's purpose is to accept nominations from professionals certified

1 or licensed by the Board to fill vacancies on the Board in membership categories
2 prescribed by subdivisions (1) and (2) of subsection (c) of this section and to conduct
3 the election of Board members. The Committee shall solicit nominations from all
4 professionals it has certified or licensed under this Article when elected members' terms
5 are due to expire. The certified or licensed professionals shall submit to the Committee
6 all nominations beginning 90 days and ending 28 days before the election of new Board
7 members. The Committee shall furnish all certified or licensed professionals with a
8 ballot containing all the nominees for each elected Board member vacancy. In soliciting
9 and making nominations for this process, the Committee shall give consideration to
10 factors that promote representation on the Board by professionals certified or licensed
11 by the Board. The Committee shall serve for a two-year term, its successors to be
12 appointed for the same term by the Board.

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

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

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

25 **"§ 90-113.40. Requirements for certification and licensure.**

26 (a) The Board shall issue a certificate certifying an applicant as a "Certified
27 Substance Abuse Counselor" or as a "Certified Substance Abuse Prevention Consultant"
28 if:

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

- 1 percent (50%) of the total number of hours required for initial
2 credentialing.
- 3 (7) The applicant has documented completion of a minimum of 300 hours
4 of Supervised Practical Training, has provided a Board-approved
5 supervision contract between the applicant and an applicant supervisor,
6 and has been deemed recommended by the applicant supervisor to
7 advance in the credentialing process.
- 8 (8) The applicant for substance abuse counselor has completed a total of
9 6,000 hours of supervised experience in the field, whether paid or
10 volunteer. The applicant for substance abuse prevention consultant has
11 completed a total of 6,000 hours supervised experience in the field,
12 whether paid or volunteer, or 4,000 hours if the applicant has at least a
13 bachelors degree in a human services field from a regionally
14 accredited college or university.
- 15 (9) The applicant has obtained a passing score on a written examination.
16 ~~An applicant for certification as a substance abuse counselor must also~~
17 ~~obtain a passing score on an oral examination promulgated and~~
18 ~~administered by the Board.~~
- 19 (b) The Board shall issue a certificate certifying an individual as a "Certified
20 Clinical Supervisor" ~~if, in addition to meeting the requirements of subdivisions (a)(1)~~
21 ~~through (5a) of this section, if the applicant:~~
- 22 (1) Submits proof of designation by the Board as a clinical supervisor
23 intern.
- 24 (2) ~~Prior to June 30, 1998, the applicant presents proof that the applicant~~
25 ~~has 12,000 hours experience in alcohol and drug abuse counseling and~~
26 ~~a bachelors degree or 8,000 hours experience in alcohol and drug~~
27 ~~abuse counseling and a minimum of a master's degree. After June 30,~~
28 ~~1998, the applicant shall present~~Submits proof that the applicant has a
29 minimum of a master's degree in a human services field with a clinical
30 application from a regionally accredited college or university.
- 31 (3) ~~Has 6,000 hours experience as a substance abuse clinical supervisor if~~
32 ~~the applicant has a bachelors degree or 4,000 hours experience if the~~
33 ~~applicant has a master's degree in a human services field with a clinical~~
34 ~~application from a regionally accredited college or university.~~as a
35 substance abuse clinical supervisor as documented by his or her
36 certified clinical supervisor.
- 37 (4) Has 30 hours of substance abuse clinical supervision specific
38 education or training. These hours shall be reflective of the Twelve
39 Core Functions in the applicant's clinical application and practice and
40 may also be counted toward the applicant's renewal as a substance
41 abuse counselor or a clinical addictions specialist.
- 42 (5) Submits a letter of reference from a professional-certified clinical
43 supervisor who can attest to the applicant's supervisory competence
44 and two letters of reference from either counselors who have been

1 supervised by the applicant or professionals who can attest to the
2 applicant's competence.

3 (6) Obtains a passing score on a written examination administered by the
4 Board.

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

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

11 (1) Submits an application, resume, and official transcript showing that the
12 applicant has obtained a master's degree in a human services field with
13 a clinical application from a regionally accredited college or
14 university.

15 (2) Submits verification statements.

16 (3) Submits proof of credentialing as a ~~certified substance abuse~~
17 ~~counselor, a licensed clinical addictions specialist, or certification or~~
18 ~~licensure through an organization granted deemed status by the~~
19 ~~Board.~~ specialist.

20 (4) Submits documentation establishing that the applicant has completed
21 at least fifty percent of the required clinical supervision specific
22 training hours as defined by the Board.

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

27 (1) Criteria A. – The applicant:

28 a. Has a minimum of a master's degree with a clinical application
29 in a human services field from a regionally accredited college
30 or university.

31 b. Has two years postgraduate supervised substance abuse
32 counseling experience.

33 c. Submits three letters of reference from licensed clinical
34 addictions specialists or certified substance abuse counselors
35 who have obtained master's degrees.

36 d. Has achieved a ~~combined passing score set by the Board~~ on a
37 master's level written ~~and oral~~ examination administered by the
38 Board.

39 e. Has attained 180 hours of substance abuse specific training
40 from either a regionally accredited college or university, which
41 may include unlimited independent study, or from training
42 events of which no more than fifty percent (50%) shall be in
43 independent study. All hours shall be credited according to the
44 standards set forth in G.S. 90-113.41A.

- 1 f. The applicant has documented completion of a minimum of 300
2 hours of supervised practical training and has provided a
3 Board-approved supervision contract between the applicant and
4 an applicant supervisor.
- 5 (2) Criteria B. – The applicant:
- 6 a. Has a minimum of a master's degree with a clinical application
7 in a human services field from a regionally accredited college
8 or university.
- 9 b. Has been certified as a substance abuse counselor.
- 10 e. ~~Has one year of postgraduate supervised substance abuse~~
11 ~~counseling experience.~~
- 12 d. Has achieved a passing score on a master's level written
13 examination administered by the Board.
- 14 e. Submits three letters of reference from either licensed clinical
15 addictions specialists or certified substance abuse counselors
16 who have obtained master's degrees.
- 17 (3) Criteria C. – The applicant:
- 18 a. Has a minimum of a master's degree in a human services field
19 with both a clinical application and a substance abuse specialty
20 from a regionally accredited college or university that includes
21 180 hours of substance abuse specific education and training
22 pursuant to G.S. 90-113.41A.
- 23 b. Has one year of postgraduate supervised substance abuse
24 counseling experience.
- 25 c. Has achieved a passing score on ~~an oral~~ a master's level written
26 examination administered by the Board.
- 27 d. Submits three letters of reference from licensed clinical
28 addictions specialists or certified substance abuse counselors
29 who have obtained master's degrees.
- 30 (4) Criteria D. – The applicant has a substance abuse certification from a
31 professional discipline that has been granted deemed status by the
32 Board.
- 33 (d) The Board shall issue a certificate certifying an applicant as a "Substance
34 Abuse Residential Facility Director" if the applicant:
- 35 (1) Has been credentialed as a substance abuse counselor or a clinical
36 addictions specialist.
- 37 (2) Has 50 hours of Board approved academic or didactic management
38 specific training or a combination thereof. Independent study may
39 compose up to fifty percent (50%) of the total number of hours
40 required for initial credentialing.
- 41 (3) Submits letters of reference from the applicant's current supervisor and
42 a colleague or coworker.
- 43 (d1) The Board shall issue a certificate certifying an applicant as a "Certified
44 Criminal Justice Addictions Professional", with the acronym "CCJP", if in addition to

1 meeting the requirements of subdivisions (a)(1) through (5a) of this section, the
2 applicant:

- 3 (1) Has attained 270 hours of Board-approved education or training,
4 unless the applicant has attained a minimum of a masters degree with a
5 clinical application and a substance abuse specialty from a regionally
6 accredited college or university whereby the applicant must only
7 obtain 180 hours. The hours of education shall be specifically related
8 to the knowledge and skills necessary to perform the tasks within the
9 International Certification and Reciprocity Consortium/Alcohol and
10 Other Drug Abuse, Incorporated, "IC&RC/AODA, Inc.," criminal
11 justice addictions professional performance domains as they relate to
12 both adults and juveniles. Independent study may compose up to fifty
13 percent (50%) of the total number of hours obtained for initial
14 certification or renewal.
- 15 (2) Has documented 300 hours of Board-approved supervised practical
16 training. This supervision shall mean the administrative, clinical, and
17 evaluative process of monitoring, assessing, and enhancing
18 professional performance. A minimum of 10 hours of supervision in
19 each criminal justice domain established by the IC&RC/AODA, Inc.,
20 is required.
- 21 (3) Has provided documentation of supervised work experience providing
22 direct service to clients or offenders involved in one of the three
23 branches of the criminal justice system, which include law
24 enforcement, the judiciary, and corrections. The applicant must meet
25 one of the following criteria:
- 26 a. Criteria A. – In addition to having a high school degree or
27 GED, the applicant has a minimum of 6,000 hours of
28 documented work experience in direct services in criminal
29 justice or addictions services or any combination of these
30 services that have been obtained during the past 10 years.
- 31 b. Criteria B. – In addition to having an associate degree, the
32 applicant has a minimum of 5,000 hours of documented work
33 experience in direct services in criminal justice or addictions
34 services or any combination of these services obtained during
35 the past 10 years.
- 36 c. Criteria C. – In addition to having at least a bachelors degree,
37 the applicant has a minimum of 4,000 hours of documented
38 work experience in direct services in criminal justice or
39 addictions services, or any combination of these services, and
40 this experience has been obtained during the past 10 years.
- 41 d. Criteria D. – In addition to having at least a masters degree in a
42 human services field, the applicant has a minimum of 2,000
43 hours of documented work experience in direct services in

1 criminal justice or addictions services or any combination of
2 these services that has been obtained during the past 10 years.

3 e. Criteria E. – In addition to having at least a masters degree in a
4 human services field with a specialty from a regionally
5 accredited college or university that includes 180 hours of
6 substance abuse specific education or training, the applicant has
7 a minimum of 2,000 hours of postgraduate supervised substance
8 abuse counseling experience.

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

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

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

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

26 **SECTION 4.** G.S. 90-113.42 reads as rewritten:

27 **"§ 90-113.42. Violations; exemptions.**

28 (a) It shall be unlawful for any person not licensed or otherwise credentialed as a
29 substance abuse professional pursuant to this Article to engage in those activities set
30 forth in the scope of practice of a substance abuse professional under G.S. 90-113.31B,
31 unless that person is regulated by another profession or is a registrant or intern as
32 defined by this Article.

33 (b) It is not the intent of this Article to regulate members of other regulated
34 professions who provide substance abuse services or consultation in the normal course
35 of the practice of their profession.

36 (c) This Article does not apply to any person registered, certified, or licensed by
37 the State or federal government to practice any other occupation or profession while
38 rendering substance abuse services or consultation in the performance of the occupation
39 or profession for which the person is registered, certified, or licensed.

40 (d) Only individuals registered, certified, or licensed under this Article may use
41 the title "Certified Substance Abuse Counselor", "Certified Substance Abuse Prevention
42 Consultant", "Certified Clinical Supervisor", "Licensed Clinical Addictions Specialist",
43 "Certified Substance Abuse Residential Facility Director", "Certified Criminal Justice
44 Addictions Professional", "Substance Abuse Counselor Intern", "Provisional Licensed

1 Clinical Addictions ~~Specialist Intern~~, Specialist, "Clinical Supervisor Intern", or
2 "Registrant".

3 **SECTION 5.** G.S. 90-113.43 reads as rewritten:

4 **"§ 90-113.43. Illegal practice; misdemeanor penalty.**

5 (a) Except as otherwise authorized in this Article, no person shall:

6 (1) Offer substance abuse professional services, practice, attempt to
7 practice, or supervise while holding himself or herself out to be a
8 certified substance abuse counselor, certified substance abuse
9 prevention consultant, certified clinical supervisor, ~~certified or licensed~~
10 clinical addictions specialist, ~~clinical—addictions—specialist~~
11 ~~intern~~, provisional licensed clinical addictions specialist, certified
12 substance abuse residential facility director, certified criminal justice
13 addictions professional, clinical supervisor intern, ~~substance abuse~~
14 ~~prevention consultant~~, substance abuse counselor intern, or registrant
15 without first having obtained a ~~certificate notification~~ of registration,
16 certification, or licensure from the Board.

17 (2) Use in connection with any name any letters, words, numerical codes,
18 or insignia indicating or implying that this person is a registrant,
19 certified substance abuse counselor, certified substance abuse
20 prevention consultant, certified clinical supervisor, licensed clinical
21 addictions specialist, certified substance abuse residential facility
22 director, substance abuse counselor intern, certified criminal justice
23 addictions professional, or clinical—addictions—specialist
24 ~~intern~~ provisional licensed clinical addictions specialist unless this
25 person is registered, certified, or licensed pursuant to this Article.

26 (3) Practice or attempt to practice as a certified substance abuse counselor,
27 certified substance abuse prevention consultant, certified clinical
28 supervisor, licensed clinical addictions specialist, certified criminal
29 justice addictions professional, substance abuse counselor intern,
30 provisional licensed clinical addictions specialist, clinical supervisor
31 intern, ~~or~~ certified substance abuse residential facility director or
32 registrant with a revoked, lapsed, or suspended certification or license.

33 (4) Aid, abet, or assist any person to practice as a certified substance abuse
34 counselor, certified substance abuse prevention consultant, certified
35 criminal justice addictions professional, certified clinical supervisor,
36 licensed clinical addictions specialist, certified substance abuse
37 residential facility director, registrant, substance abuse counselor
38 intern, provisional licensed clinical addictions specialist, or clinical
39 supervisor intern in violation of this Article.

40 (5) Knowingly serve in a position required by State law or rule or federal
41 law or regulation to be filled by a registrant, certified substance abuse
42 counselor, certified substance abuse prevention consultant, certified
43 criminal justice addictions professional, certified clinical supervisor,
44 licensed clinical addictions specialist, certified substance abuse

1 residential facility director, substance abuse counselor intern,
 2 provisional licensed clinical addictions specialist intern, specialist, or
 3 clinical supervisor intern unless that person is registered, certified, or
 4 licensed under this Article.

5 (6) Repealed by S.L. 1997-492, s. 13.

6 (7) ~~Practice, supervise, or attempt to practice or supervise or knowingly~~
 7 ~~serve in a position required by State law or rule or federal law or~~
 8 ~~regulation to be filled by a designated substance abuse intern without~~
 9 ~~being designated as such by the Board.~~

10 (b) A person who engages in any of the illegal practices enumerated by this
 11 section is guilty of a Class 1 misdemeanor. Each act of unlawful practice constitutes a
 12 distinct and separate offense."

13 **SECTION 6.** G.S. 122C-142.1(b1) reads as rewritten:

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

- 16 (1) A Certified Substance Abuse Counselor (CSAC), as defined by the
 17 Commission.
 18 (2) A ~~Certified~~Licensed Clinical Addiction Specialist (~~CCAS~~), (LCAS),
 19 as defined by the Commission.
 20 (3) **(Repealed effective October 1, 2008. See note.)** A Substance Abuse
 21 Counselor Intern who is supervised by a Certified Clinical Supervisor
 22 (CCS), as defined by the Commission, and who meets the minimum
 23 qualifications established by the Commission for individuals
 24 performing substance abuse assessments.
 25 (4) A person licensed by the North Carolina Medical Board or the North
 26 Carolina Psychology Board.
 27 (5) A physician certified by the American Society of Addiction Medicine
 28 (ASAM).
 29 (6) A Provisional Licensed Clinical Addictions Specialist, as registered by
 30 the North Carolina Substance Abuse Professional Practice Board."

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

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

- 35 (1) A Certified Substance Abuse Counselor (CSAC), as defined by the
 36 Commission.
 37 (2) A ~~Certified~~Licensed Clinical ~~Addiction~~Addictions Specialist
 38 (~~CCAS~~), (LCAS), as defined by the Commission.
 39 (3) A Certified Substance Abuse Prevention Consultant (CSAPC), as
 40 defined by the Commission.
 41 (4) A Provisional Licensed Clinical Addictions Specialist, as registered by
 42 the North Carolina Substance Abuse Professional Practice Board."

43 **SECTION 8.** Notwithstanding G.S. 90-113.32(e), members currently
 44 serving on the North Carolina Substance Abuse Professional Practice Board who began

1 serving a second consecutive four-year term as of September 1, 2005, may continue to
2 serve on the Board for an additional four-year term.

3 **SECTION 9.** This act is effective when it becomes law.