

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2007

S

D

SENATE DRS55710-LUf-145* (05/09)

Short Title: Amend Substance Abuse Professionals Act.

(Public)

Sponsors: Senator Nesbitt.

Referred to:

A BILL TO BE ENTITLED

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

The General Assembly of North Carolina enacts:

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

"§ 90-113.31A. Definitions.

The following definitions shall apply in this Article:

- (1) Applicant. – A person who has initiated a process to become a substance abuse professional pursuant to this Article.
- (2) Applicant supervisor. – A person who provides supervision as required by the Board to persons applying for registration, certification, or licensure as a substance abuse professional pursuant to this Article.
- (3) Board. – The North Carolina Substance Abuse Professional Practice Board.
- (4) Certified clinical supervisor. – A person certified by the Board to practice as a clinical supervisor in accordance with the provisions of this Article.
- (5) Certified criminal justice addictions professional. – A person certified by the Board to practice as a criminal justice addictions professional who, under supervision, provides direct services to clients or offenders

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

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

16 (15) Deemed status. – Recognition by the Board of the credentials offered
17 by a professional discipline whereby the individuals certified, licensed,
18 or otherwise recognized by the discipline as having met the standards
19 of a clinical addictions specialist may apply individually for licensure
20 as a licensed clinical addictions specialist.

21 (16) Dual relationship. – A relationship in addition to the professional
22 relationship with a person to whom the substance abuse professional
23 delivers services in the Twelve Core Functions or the performance
24 domains, both as defined in rules adopted by the Board, or as provided
25 in a supervisory capacity. These relationships may result in grounds
26 for disciplinary action.

27 (17) Human services field. – An area of study that focuses on the
28 biological, psychological, behavioral, and social aspects of human
29 welfare with focus on the direct services designed to improve it.

30 (18) Independent study. – Any course of study that is not traditional
31 classroom-based that must be preapproved by the Board or any
32 organization that has deemed status with the Board.

33 (19) Licensed clinical addictions specialist. – A person licensed by the
34 Board to practice as a clinical addictions specialist in accordance with
35 the provisions of this Article.

36 (20) Practice supervisor. – A certified clinical supervisor, clinical
37 supervisor intern, or licensed clinical addictions specialist who
38 provides oversight and responsibility in a face-to-face capacity for
39 each certified substance abuse counselor or criminal justice addictions
40 professional.

41 (21) Prevention. – The reduction, delay, or avoidance of alcohol and of
42 other drug use behavior. "Prevention" includes the promotion of
43 positive environments and individual strengths that contribute to
44 personal health and well-being over an entire life and the development

1 of strategies that encourage individuals, families, and communities to
2 take part in assessing and changing their lifestyles and environments.

3 (22) Professional discipline. – A field of study characterized by the
4 technical, educational, and ethical standards of a profession.

5 (23) Registrant. – A person who completes all requirements to be registered
6 with the Board and is supervised by a certified clinical supervisor or
7 clinical supervisor intern.

8 (24) Substance abuse counseling. – The assessment, evaluation, and
9 provision of counseling and therapeutic service to persons suffering
10 from substance abuse or dependency.

11 (25) Substance abuse counselor intern. – ~~A person—registrant~~ who
12 successfully completes 300 hours of Board-approved supervised
13 practical training and ~~passes a written examination~~ in pursuit of
14 credentialing as a substance abuse counselor.

15 (26) Substance abuse professional. – A registrant, certified substance abuse
16 counselor, substance abuse counselor intern, certified substance abuse
17 prevention consultant, certified clinical supervisor, ~~clinical addictions~~
18 ~~specialist intern~~, provisional licensed clinical addictions specialist,
19 licensed clinical addictions specialist, certified substance abuse
20 residential facility director, or certified criminal justice addictions
21 professional."

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

23 **"§ 90-113.32. Board; composition; voting.**

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

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

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

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

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

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

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

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

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

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

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

22 **"§ 90-113.40. Requirements for certification and licensure.**

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

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

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

1 (6) Obtains a passing score on a written examination administered by the
2 Board.

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

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

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

13 (2) Submits verification statements.

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

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

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

25 (1) Criteria A. – The applicant:

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

29 b. Has two years postgraduate supervised substance abuse
30 counseling experience.

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

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

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

43 f. The applicant has documented completion of a minimum of 300
44 hours of supervised practical training and has provided a

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

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

- e. Criteria E. – In addition to having at least a masters degree in a human services field with a specialty from a regionally accredited college or university that includes 180 hours of substance abuse specific education or training, the applicant has a minimum of 2,000 hours of postgraduate supervised substance abuse counseling experience.
- f. Criteria F. – In addition to having obtained the credential of a certified clinical addictions specialist or other advanced credential in a human services field from an organization that has obtained deemed status with the Board, the applicant has a minimum of 1,000 hours of documented work experience in direct services in criminal justice or addictions services that has been obtained during the past 10 years.

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

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

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

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

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

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

- (1) Offer substance abuse professional services, practice, attempt to practice, or supervise while holding himself or herself out to be a certified substance abuse counselor, certified substance abuse prevention consultant, certified clinical supervisor, ~~certified or licensed clinical addictions specialist, clinical—addictions—specialist intern,~~ provisional licensed clinical addictions specialist, substance abuse residential facility director, certified criminal justice addictions professional, clinical supervisor intern, ~~substance abuse prevention consultant,~~ substance abuse counselor intern, or registrant without first having obtained a ~~certificate~~ notification of registration, certification, or licensure from the Board.
- (2) Use in connection with any name any letters, words, numerical codes, or insignia indicating or implying that this person is a registrant, certified substance abuse counselor, certified substance abuse prevention consultant, certified clinical supervisor, licensed clinical addictions specialist, certified substance abuse residential facility director, substance abuse counselor intern, or ~~clinical—addictions specialist intern,~~ provisional licensed clinical addictions specialist

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

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

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

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

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

1 (4) A person licensed by the North Carolina Medical Board or the North
2 Carolina Psychology Board.

3 (5) A physician certified by the American Society of Addiction Medicine
4 (ASAM).

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

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

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

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

13 (1) Certified Substance Abuse Counselor (CSAC), as defined by the
14 Commission.

15 (2) Certified Clinical Addiction Specialist (CCAS), as defined by the
16 Commission.

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

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

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

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

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