

R156. Commerce, Occupational and Professional Licensing.

R156-60d. Substance Abuse Counselor Act Rule.

R156-60d-101. Title.

This rule is known as the "Substance Abuse Counselor Act Rule."

R156-60d-102. Definitions.

In addition to the definitions in Title 58, Chapters 1 and 60, as used in Title 58, Chapters 1 and 60 or this rule:

(1) "Accredited institution", as used in Subsections 58-60-506(2)(a)(i), (2)(b)(i), (2)(c)(i), (2)(d)(i), (3)(a)(i), (3)(b)(i), (3)(c) and (3)(d), means an educational institution identified in the "Accredited Institution of Postsecondary Education", published for the Commission of Recognition of Postsecondary Accreditation of the American Council on Education at the same time the applicant obtained the education.

(2) "ASAM" means the American Society of Addiction Medicine Patient Placement Criteria.

(3) "DSM-IV" means the Diagnostic Statistical Manual of Mental Health Disorders published by the American Psychiatric Association.

(4) "Formal classroom education", as used in Subsection R156-60d-302a, means college or university coursework through an accredited institution.

(5) "General supervision" means that the supervisor provides consultation with the supervisee by personal face to face contact, or direct voice contact by telephone or some other means within a reasonable time consistent with the acts and practices in which the supervisee is engaged.

(6) "ICRC/AODA, Inc." means the International Certification and Reciprocity Consortium/Alcohol and Other Drug Abuse, Inc.

(7) "Initial Assessment" means the procedure of gathering psycho-social information, which may include the application of the Addiction Severity Index, in order to recommend a level of treatment and to assist the mental health therapist supervisor in the information collection process and may include a referral to an appropriate treatment program.

(8) "NAADAC" means the National Association of Alcohol and Drug Abuse Counselors.

(9) "Qualified continuing education" means continuing education that meets the standards set forth in Section R156-60d-304.

(10) "SASSI" means Substance Abuse Subtle Screening Inventory.

(11) "Screening", as used in Subsection 58-60-502(6)(a), means a brief interview conducted in person or by telephone to determine if there is a potential substance abuse problem. If a potential problem is identified, the screening may include a referral for an Initial Assessment or a Substance Abuse Treatment Evaluation. The screening may also include a preliminary ASAM level recommendation in order to expedite the subsequent assessment and evaluation process. Screening instruments such as the SASSI may be included in the screening process.

(12) "Substance Abuse Treatment Evaluation" means the process used to interpret information gathered from an initial assessment, other instruments as needed, and a face to face interview by a licensed mental health therapist in order to determine if an individual meets the DSM-IV criteria for substance abuse or dependence and is in need of treatment. If the need for treatment is determined, the Substance Abuse Treatment Evaluation process includes the determination of a DSM-IV diagnosis and the determination of an individualized treatment plan.

(13) "Unprofessional conduct," as defined in Title 58 Chapters 1 and 60, is further defined, in accordance with Subsection 58-1-203(1)(e), in Section R156-60d-502.

R156-60d-103. Authority - Purpose.

This rule is adopted by the Division under the authority of Subsection 58-1-106(1)(a) to enable the Division to administer Title 58, Chapter 60, Part 5.

R156-60d-104. Organization - Relationship to Rule R156-1.

The organization of this rule and its relationship to Rule R156-1 is as described in Section R156-1-107.

R156-60d-302a. Qualifications for Licensure - Education Requirements.

The 300 hours of addiction counseling specific education set forth in Subsection 58-60-502(9) is defined as formal classroom education emphasizing alcohol and other drug addictions related to the practice of substance abuse counseling consisting of:

- (1) a minimum of 18 hours in professional ethics and responsibilities; and
- (2) a minimum of ten clock hours of training in each of the areas of practice as defined in Subsection 58-60-502(7).

R156-60d-302b. Qualifications for Licensure - Experience Requirements.

(1) In accordance with Subsections 58-60-506(2)(a)(iii)(A), (2)(b)(iii)(A), (2)(c)(ii)(A), (2)(d)(ii)(A), the supervised qualifying experience shall:

- (a) be supervised experience providing substance abuse counseling services as defined in Subsection 58-60-502(7);
- (b) be completed in an approved agency as defined in Subsection 58-60-502(1);
- (c) be supervised at a ratio of one hour of face-to-face direct supervision for every 40 hours of substance abuse counseling services provided by a supervisor who shall:
 - (i) until July 1, 2011, be licensed as a substance abuse counselor with at least one year of experience as a licensed substance abuse counselor;
 - (ii) beginning on July 1, 2011, be licensed as a substance abuse counselor with at least two years of experience as a licensed substance abuse counselor; or
 - (iii) be a licensed mental health therapist qualified by education and experience to treat substance abuse.

(d) be completed only when a licensed substance abuse counselor or mental health therapist is at the site where the supervised experience is occurring.

(2) In accordance with Subsection 58-60-511(1), hours of experience required by Section 58-60-506 that are earned after January 1, 2008 shall be earned while the person earning the hours is licensed as a certified substance abuse counselor, certified substance abuse counselor intern or certified substance abuse counselor extern.

R156-60d-302c. Qualifications for Licensure - Examination Requirements.

In accordance with Subsection 58-60-506(1)(e), the examination required for licensure is one of the following:

- (1) the written NAADAC National Certification Exam Levels I, II, or MAC with a minimum criterion score set by NAADAC; or
- (2) the written International Certification Examination for Alcohol and Drug Counselors of the ICRC/AODA, Inc., with a minimum criterion score as set by ICRC/AODA, Inc.

R156-60d-303. Renewal Cycle - Procedures.

(1) In accordance with Subsection 58-1-308(1), the renewal date for the two-year renewal cycle applicable to licensees under Title 58, Chapter 60, Part 5 is established by rule in Section R156-1-308a.

(2) Renewal procedures shall be in accordance with Section R156-1-308c.

R156-60d-304. Continuing Education for Licensed Substance Abuse Counselors and Certified Substance Abuse Counselors.

(1) In accordance with Section 58-60-105, there is created a continuing education requirement as a condition for renewal or reinstatement of a licensed substance abuse counselor or certified substance abuse counselor license issued under Title 58, Chapter 60, Part 5.

(2) Continuing education shall consist of 40 hours of education directly related to the licensee's professional practice. A licensed substance abuse counselor shall complete the requirement during each two year license renewal cycle and a certified substance abuse counselor shall complete the requirement during each two year period following the date of initial licensure. At least six of the 40 required hours must be in the area of professional ethics and responsibilities.

(3) The required number of hours of continuing education for a licensed substance abuse counselor who first becomes licensed during the two year renewal cycle shall be decreased in a pro rata amount equal to any part of that two year renewal cycle preceding the date on which that individual first became licensed.

(4) The standards for continuing education shall include:

(a) a clear statement of purpose and defined objective for the educational program directly related to the practice of a substance abuse counselor;

(b) documented relevance to the licensee's professional practice;

(c) a competent, well-organized, and sequential presentation consistent with the stated purpose and objective of the program;

(d) preparation and presentation by individuals who are qualified by education, training, and experience; and

(e) a competent method of registration of individuals who actually completed the continuing education program and records of that registration completion available for review.

(5) Credit for continuing education shall be recognized in accordance with the following:

(a) unlimited hours shall be recognized for continuing education completed in blocks of time of not less than 50 minutes in formally established classroom courses, seminars, conferences, workshops, institutes, or in services;

(b) a maximum of ten hours per two year period may be recognized for teaching in a college or university, or teaching continuing education courses in the field of substance abuse; and

(c) a maximum of six hours per two year period may be recognized for clinical readings or internet-based courses directly related to practice as a substance abuse counselor.

(6) A licensee shall be responsible for maintaining competent records of completed continuing education for a period of four years after close of the two year period to which the records pertain. It is the responsibility of the licensee to maintain such information with respect to qualified professional education to demonstrate it meets the requirements under this section.

(7) A licensee who documents he is engaged in full time activities or is subjected to circumstances which prevent that licensee from meeting the continuing professional education requirements established under this section may be excused from the requirement for a period of up to five years. However, it is the responsibility of the licensee to document the reasons and justify why the requirement could not be met.

R156-60d-307. License Reinstatement - Requirements.

In accordance with Subsection R156-1-308g, an applicant for reinstatement of a license after two years following expiration of that license shall demonstrate competency by:

(1) meeting with the Board upon request for the purpose of evaluating the applicant's current ability to engage safely and competently in practice as a substance abuse counselor and to make a determination of any additional education, experience or examination requirements which will be required before reinstatement;

(2) passing the written International Certification Examination for Alcohol and Drug Counselors of the ICRC/AODA, Inc. or the NAADAC National Certification Exam Levels I, II, or MAC if it is determined by the Board that current taking and passing of the examination is necessary to demonstrate the applicant's ability to engage safely and competently in practice as a substance abuse counselor; and

(3) completing at least 40 hours of continuing education in subjects determined by

the Board as necessary to ensure the applicant's ability to engage safely and competently in practice as a substance abuse counselor.

R156-60d-502. Unprofessional Conduct.

"Unprofessional conduct" includes:

- (1) violation of any provision of the "Ethical Standards of Alcoholism and Drug Abuse Counselors" established by the NAADAC, August 18, 2008 edition, which is hereby incorporated by reference;
- (2) exercising undue influence over the clinical judgment of a supervisor over whom the licensee has administrative control;
- (3) if licensed as a licensed substance abuse counselor, accepting the duties as a supervisor of a certified substance abuse counselor or a certified substance abuse counselor intern who has any supervisory control over the licensed substance abuse counselor; and
- (4) directing one's mental health therapist supervisor to engage in a practice that would violate any statute, rule, or generally accepted professional or ethical standard of the supervisor's profession.

R156-60d-601. Scope of Practice.

The scope of practice of a licensed substance abuse counselor, certified substance abuse counselor, certified substance abuse counselor intern and certified substance counselor extern as used in Subsection 58-60-502(7) and the duties of the supervisor of a licensed substance abuse counselor, certified substance abuse counselor, certified substance abuse counselor intern and certified substance abuse counselor extern as used in Section 58-60-508 are further defined and clarified as follows:

- (1) A licensed substance abuse counselor, certified substance abuse counselor, certified substance abuse counselor intern and certified substance abuse counselor extern may perform a Screening as defined in R156-60d-102(11), may perform an Initial Assessment as defined in R156-60d-102(7), and may assist in the evaluation process by meeting with the client to gather parts of the psycho-social information as directed by the supervising licensed mental health therapist. However, the licensed mental health therapist supervisor must see the individual face to face to conduct the Substance Abuse Treatment Evaluation as defined in R156-60d-102(12).
- (2) A licensed substance abuse counselor, certified substance abuse counselor, certified substance abuse counselor intern and certified abuse counselor extern may also participate as part of the multi-disciplinary team in the development of the treatment plan, but may not independently diagnose and develop treatment plans, which are the responsibility of the licensed mental health therapist supervisor.

KEY: licensing, substance abuse counselors

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Authorizing, and Implemented or Interpreted Law: 58-60-501; 58-1-106(1)(a); 58-1-202(1)(a)

**SUBSTANCE ABUSE COUNSELOR
ACT RULE**

**R156-60d
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