**02-384**

**BOARD OF ALCOHOL AND DRUG COUNSELORS**

Maine Administrative Procedure Act

2014-2015 Regulatory Agenda

Prepared: July 28, 2014

AGENCY UMBRELLA-UNIT NUMBER: **02-384**

AGENCY NAME: Department of Professional & Financial Regulation, Office of Professional and Occupational Regulation, **Board of Alcohol and Drug Counselors**

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**EMERGENCY RULES ADOPTED SINCE THE LAST REGULATORY AGENDA:** None

**EXPECTED 2014-2015 RULE-MAKING ACTIVITY:** The Board may revisit supervision requirements to define certain terms including: indirect supervision; direct supervision; and consultative supervision. Establish client record standards and record keeping requirements and review and update rules related to continuing professional education, standards of professional practice, and the *Code of Ethics*. Outdated or duplicative rules that may exist in 10 MRSA, Part 9, Chapter 901 and rules established by the Office of Professional and Occupational Regulation as authorized by 10 MRSA §8003 will be updated or repealed.

**CHAPTER 1**: Definitions

STATUTORY AUTHORITY: 32 MRSA §6212

PURPOSE: This chapter defines certain specialized terms used in the board’s rules.

ANTICIPATED SCHEDULE FOR ADOPTION: Within one year, if necessary.

AFFECTED PARTIES: Licensees

CONSENSUS-BASED RULE DEVELOPMENT: Not contemplated

**CHAPTER 2**: Advisory Rulings

STATUTORY AUTHORITY: 5 MRSA §§ 8051, 9001

PURPOSE: This chapter provides for the discretionary issuance of advisory rulings by the board.

ANTICIPATED SCHEDULE FOR ADOPTION: Within one year, if necessary.

AFFECTED PARTIES: Licensees

CONSENSUS-BASED RULE DEVELOPMENT: Not contemplated

**CHAPTER 3**: Requirements for Registration as an Alcohol and Drug Counseling Aide (ADCA)

STATUTORY AUTHORITY: 32 MRSA §6212

PURPOSE: This chapter states the eligibility requirements for registration to practice as an alcohol and drug counseling aide. This chapter also requires ADCAs to provide prompt notice of change of employment.

ANTICIPATED SCHEDULE FOR ADOPTION: Within one year, if necessary.

AFFECTED PARTIES: Licensees

CONSENSUS-BASED RULE DEVELOPMENT: Not contemplated

**CHAPTER 4:** Requirements for Licensure as a Certified Alcohol and Drug Counselor (CADC).

STATUTORY AUTHORITY: 32 MRSA §§ 6212(1), 6214-C, 6216

PURPOSE: This chapter states the eligibility requirements for a certificate to practice as a certified alcohol and drug counselor, including application, education, experience and examination.

ANTICIPATED SCHEDULE FOR ADOPTION: Within one year, if necessary.

AFFECTED PARTIES: Licensees

CONSENSUS-BASED RULE DEVELOPMENT: Not contemplated

**CHAPTER 5**: Requirements for Licensure as a Licensed Alcohol and Drug Counselor (LADC).

STATUTORY AUTHORITY: 32 MRSA §§ 6212, 6214-D, 6216

PURPOSE: This chapter states the eligibility requirements for issuance of a license to practice as a licensed alcohol and drug counselor, including application, education, experience and examination.

ANTICIPATED SCHEDULE FOR ADOPTION: Within one year, if necessary.

AFFECTED PARTIES: Licensees

CONSENSUS-BASED RULE DEVELOPMENT: Not contemplated

**CHAPTER 6**: Standards for Certification of Clinical Supervisors (CCS)

STATUTORY AUTHORITY: 32 MRSA §§ 6212, 6216

PURPOSE: This chapter states the eligibility requirements for certification to provide clinical supervision to alcohol and drug counseling aides, certified alcohol and drug counselors and licensed alcohol and drug counselors. This chapter also permits certain persons providing clinical supervision on the effective date of this chapter to be certified without examination or detailed practice experience.

ANTICIPATED SCHEDULE FOR ADOPTION: Within one year, if necessary.

AFFECTED PARTIES: Licensees

CONSENSUS-BASED RULE DEVELOPMENT: Not contemplated

**CHAPTER 7**: Continuing Professional Education for Alcohol and Drug Counselors, Alcohol and Drug Counseling Aides and Certified Clinical Supervisors

STATUTORY AUTHORITY: 32 MRSA §§ 6212, 6219, 6219-A, 6219-B

PURPOSE: This chapter describes the continuing education required for renewal of licenses, registrations and certificates.

ANTICIPATED SCHEDULE FOR ADOPTION: Within one year, if necessary.

AFFECTED PARTIES: Licensees

CONSENSUS-BASED RULE DEVELOPMENT: Not contemplated

**CHAPTER 8**: Enforcement and Disciplinary Procedures

STATUTORY AUTHORITY: 32 MRSA §§ 6212, 6217-A(7)

PURPOSE: This chapter sets forth the right of an applicant or an alcohol and drug counselor, alcohol and drug counseling aide, or certified clinical supervisor to appeal certain board actions. This chapter also specified the enforcement and disciplinary procedures used by the board and sets forth as standards of practice the board’s interpretation of certain grounds for discipline contained in 32 MRSA §6217-A.

ANTICIPATED SCHEDULE FOR ADOPTION: Within one year, if necessary.

AFFECTED PARTIES: Licensees

CONSENSUS-BASED RULE DEVELOPMENT: Not contemplated

**CHAPTER 9**: Code of Ethics

STATUTORY AUTHORITY: 32 MRSA §6212(9)

PURPOSE: This chapter contains the Code of Ethics for the performance of alcohol and drug counseling services.

ANTICIPATED SCHEDULE FOR ADOPTION: Within one year, if necessary.

AFFECTED PARTIES: Licensees

CONSENSUS-BASED RULE DEVELOPMENT: Not contemplated