

HOUSE BILL No. 1153

DIGEST OF INTRODUCED BILL

Citations Affected: IC 16-36-1.5-2; IC 25-1; IC 25-23.6.

Synopsis: Alcohol and drug abuse counselors. Creates the alcohol and drug abuse counselor section of the social worker, marriage and family therapist, mental health counselor, and alcohol and drug abuse counselor board. Sets qualifications for a licensed clinical alcohol and drug abuse counselor, including obtaining a master's degree, passing nationally standardized examinations, and having experience in alcohol and drug abuse counseling. Sets qualifications for a licensed alcohol and drug abuse counselor, including obtaining a bachelor's degree, passing nationally standardized examinations, and having experience in alcohol and drug abuse counseling. Sets qualifications for a licensed alcohol and drug abuse counselor in training, including obtaining an associate's degree, passing nationally standardized examinations, and
(Continued next page)

Effective: July 1, 1999.

**Goeglein, Brown C, Klinker,
Scholer**

January 6, 1999, read first time and referred to Committee on Public Health.



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Digest Continued

having experience in alcohol and drug abuse counseling. Provides that prohibitions on the unlicensed practice of alcohol and drug abuse counseling do not apply to physicians, nurses, psychologists, clergy members, volunteers for or employees of nonprofit organizations under certain circumstances, marriage and family therapists, social workers, mental health counselors, licensed alcohol and drug abuse counselors practicing under direct supervision, and licensed drug and alcohol abuse counselors in training while practicing under direct supervision. Makes the unlicensed practice of alcohol and drug abuse counseling a Class A misdemeanor. Prohibits alcohol and drug abuse counselors from practicing hypnosis and from counseling for the purpose of recovering a memory of child abuse. Makes conforming amendments.

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Introduced

First Regular Session 111th General Assembly (1999)

PRINTING CODE. Amendments: Whenever an existing statute (or a section of the Indiana Constitution) is being amended, the text of the existing provision will appear in this style type, additions will appear in **this style type**, and deletions will appear in ~~this style type~~.

Additions: Whenever a new statutory provision is being enacted (or a new constitutional provision adopted), the text of the new provision will appear in **this style type**. Also, the word **NEW** will appear in that style type in the introductory clause of each SECTION that adds a new provision to the Indiana Code or the Indiana Constitution.

Conflict reconciliation: Text in a statute in *this style type* or ~~this style type~~ reconciles conflicts between statutes enacted by the 1998 General Assembly.

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HOUSE BILL No. 1153

A BILL FOR AN ACT to amend the Indiana Code concerning professions and occupations.

Be it enacted by the General Assembly of the State of Indiana:

- 1 SECTION 1. IC 16-36-1.5-2 IS AMENDED TO READ AS
2 FOLLOWS [EFFECTIVE JULY 1, 1999]: Sec. 2. As used in this
3 chapter, "mental health provider" means any of the following:
4 (1) A registered nurse or licensed practical nurse licensed under
5 IC 25-23.
6 (2) A clinical social worker licensed under IC 25-23.6-5.
7 (3) A marriage and family therapist licensed under IC 25-23.6-8.
8 (4) A psychologist licensed under IC 25-33.
9 (5) A school psychologist licensed by the Indiana state board of
10 education.
11 **(6) An alcohol and drug abuse counselor licensed under**
12 **IC 25-23.6-12.**
13 ~~(7)~~ (7) An individual who claims to be a mental health provider.
14 SECTION 2. IC 25-1-2-6 IS AMENDED TO READ AS FOLLOWS
15 [EFFECTIVE JULY 1, 1999]: Sec. 6. (a) As used in this section,



1 "license" includes all occupational and professional licenses,
 2 registrations, permits, and certificates issued under the Indiana Code,
 3 and "licensee" includes all occupational and professional licensees,
 4 registrants, permittees, and certificate holders regulated under the
 5 Indiana Code.

6 (b) This section applies to the following entities that regulate
 7 occupations or professions under the Indiana Code:

- 8 (1) Indiana board of accountancy.
- 9 (2) Indiana grain buyers and warehouse licensing agency.
- 10 (3) Indiana auctioneer commission.
- 11 (4) Board of registration for architects.
- 12 (5) State board of barber examiners.
- 13 (6) State board of cosmetology examiners.
- 14 (7) Medical licensing board of Indiana.
- 15 (8) Secretary of state.
- 16 (9) State board of dental examiners.
- 17 (10) State board of funeral and cemetery service.
- 18 (11) Worker's compensation board of Indiana.
- 19 (12) Indiana state board of health facility administrators.
- 20 (13) Committee of hearing aid dealer examiners.
- 21 (14) Indiana state board of nursing.
- 22 (15) Indiana optometry board.
- 23 (16) Indiana board of pharmacy.
- 24 (17) Indiana plumbing commission.
- 25 (18) Board of podiatric medicine.
- 26 (19) Private detectives licensing board.
- 27 (20) State board of registration for professional engineers.
- 28 (21) Board of environmental health specialists.
- 29 (22) State psychology board.
- 30 (23) Indiana real estate commission.
- 31 (24) Speech-language pathology and audiology board.
- 32 (25) Department of natural resources.
- 33 (26) State boxing commission.
- 34 (27) Board of chiropractic examiners.
- 35 (28) Mining board.
- 36 (29) Indiana board of veterinary medical examiners.
- 37 (30) State department of health.
- 38 (31) Indiana physical therapy committee.
- 39 (32) Respiratory care committee.
- 40 (33) Occupational therapy committee.
- 41 (34) Social worker, marriage and family therapist, ~~and~~ mental
 42 health counselor, **and alcohol and drug abuse counselor** board.



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- 1 (35) Real estate appraiser licensure and certification board.
 2 (36) State board of registration for land surveyors.
 3 (37) Physician assistant committee.
 4 (38) Indiana dietitians certification board.
 5 (39) Indiana hypnotist committee.
 6 (40) Any other occupational or professional agency created after
 7 June 30, 1981.

8 (c) Notwithstanding any other law, the entities included in
 9 subsection (b) shall send a notice of the upcoming expiration of a
 10 license to each licensee at least sixty (60) days prior to the expiration
 11 of the license. The notice must inform the licensee of the need to renew
 12 and the requirement of payment of the renewal fee. If this notice of
 13 expiration is not sent by the entity, the licensee is not subject to a
 14 sanction for failure to renew if, once notice is received from the entity,
 15 the license is renewed within forty-five (45) days of the receipt of the
 16 notice.

17 SECTION 3. IC 25-1-5-3 IS AMENDED TO READ AS FOLLOWS
 18 [EFFECTIVE JULY 1, 1999]: Sec. 3. (a) There is established the
 19 health professions bureau. The bureau shall perform all administrative
 20 functions, duties, and responsibilities assigned by law or rule to the
 21 executive director, secretary, or other statutory administrator of the
 22 following:

- 23 (1) Board of chiropractic examiners (IC 25-10-1).
 24 (2) State board of dental examiners (IC 25-14-1).
 25 (3) Indiana state board of health facility administrators
 26 (IC 25-19-1).
 27 (4) Medical licensing board of Indiana (IC 25-22.5-2).
 28 (5) Indiana state board of nursing (IC 25-23-1).
 29 (6) Indiana optometry board (IC 25-24).
 30 (7) Indiana board of pharmacy (IC 25-26).
 31 (8) Board of podiatric medicine (IC 25-29-2-1).
 32 (9) Board of environmental health specialists (IC 25-32).
 33 (10) Speech-language pathology and audiology board
 34 (IC 25-35.6-2).
 35 (11) State psychology board (IC 25-33).
 36 (12) Indiana board of veterinary medical examiners (IC 15-5-1.1).
 37 (13) Controlled substances advisory committee (IC 35-48-2-1).
 38 (14) Committee of hearing aid dealer examiners (IC 25-20).
 39 (15) Indiana physical therapy committee (IC 25-27).
 40 (16) Respiratory care committee (IC 25-34.5).
 41 (17) Occupational therapy committee (IC 25-23.5).
 42 (18) Social worker, marriage and family therapist, ~~and~~ mental



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- 1 health counselor, **and alcohol and drug abuse counselor** board
 2 (IC 25-23.6).
 3 (19) Physician assistant committee (IC 25-27.5).
 4 (20) Indiana athletic trainers board (IC 25-5.1-2-1).
 5 (21) Indiana dietitians certification board (IC 25-14.5-2-1).
 6 (22) Indiana hypnotist committee (IC 25-20.5-1-7).
 7 (b) Nothing in this chapter may be construed to give the bureau
 8 policy making authority, which authority remains with each board.
 9 SECTION 4. IC 25-1-7-1 IS AMENDED TO READ AS FOLLOWS
 10 [EFFECTIVE JULY 1, 1999]: Sec. 1. As used in this chapter:
 11 "Board" means the appropriate agency listed in the definition of
 12 regulated occupation in this section.
 13 "Director" refers to the director of the division of consumer
 14 protection.
 15 "Division" refers to the division of consumer protection, office of
 16 the attorney general.
 17 "Licensee" means a person who is:
 18 (1) licensed, certified, or registered by a board listed in this
 19 section; and
 20 (2) the subject of a complaint filed with the division.
 21 "Person" means an individual, a partnership, a limited liability
 22 company, or a corporation.
 23 "Regulated occupation" means an occupation in which a person is
 24 licensed, certified, or registered by one (1) of the following:
 25 (1) Indiana board of accountancy (IC 25-2.1-2-1).
 26 (2) Board of registration for architects (IC 25-4-1-2).
 27 (3) Indiana auctioneer commission (IC 25-6.1-2-1).
 28 (4) State board of barber examiners (IC 25-7-5-1).
 29 (5) State boxing commission (IC 25-9-1).
 30 (6) Board of chiropractic examiners (IC 25-10-1).
 31 (7) State board of cosmetology examiners (IC 25-8-3-1).
 32 (8) State board of dental examiners (IC 25-14-1).
 33 (9) State board of funeral and cemetery service (IC 25-15-9).
 34 (10) State board of registration for professional engineers
 35 (IC 25-31-1-3).
 36 (11) Indiana state board of health facility administrators
 37 (IC 25-19-1).
 38 (12) Medical licensing board of Indiana (IC 25-22.5-2).
 39 (13) Indiana state board of nursing (IC 25-23-1).
 40 (14) Indiana optometry board (IC 25-24).
 41 (15) Indiana board of pharmacy (IC 25-26).
 42 (16) Indiana plumbing commission (IC 25-28.5-1-3).

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- 1 (17) Board of podiatric medicine (IC 25-29-2-1).
 2 (18) Board of environmental health specialists (IC 25-32-1).
 3 (19) State psychology board (IC 25-33).
 4 (20) Speech-language pathology and audiology board
 5 (IC 25-35.6-2).
 6 (21) Indiana real estate commission (IC 25-34.1-2).
 7 (22) Indiana board of veterinary medical examiners (IC 15-5-1.1).
 8 (23) Department of natural resources for purposes of licensing
 9 water well drillers under IC 25-39-3.
 10 (24) Respiratory care committee (IC 25-34.5).
 11 (25) Private detectives licensing board (IC 25-30-1-5.1).
 12 (26) Occupational therapy committee (IC 25-23.5).
 13 (27) Social worker, marriage and family therapist, **and** mental
 14 health counselor, **and alcohol and drug abuse counselor** board
 15 (IC 25-23.6).
 16 (28) Real estate appraiser licensure and certification board
 17 (IC 25-34.1-8).
 18 (29) State board of registration for land surveyors
 19 (IC 25-21.5-2-1).
 20 (30) Physician assistant committee (IC 25-27.5).
 21 (31) Indiana athletic trainers board (IC 25-5.1-2-1).
 22 (32) Indiana dietitians certification board (IC 25-14.5-2-1).
 23 (33) Indiana hypnotist committee (IC 25-20.5-1-7).
 24 (34) Indiana physical therapy committee (IC 25-27).
 25 (35) Any other occupational or professional agency created after
 26 June 30, 1981.
- 27 SECTION 5. IC 25-1-8-1 IS AMENDED TO READ AS FOLLOWS
 28 [EFFECTIVE JULY 1, 1999]: Sec. 1. As used in this chapter, "board"
 29 means any of the following:
- 30 (1) Indiana board of accountancy (IC 25-2.1-2-1).
 31 (2) Board of registration for architects (IC 25-4-1-2).
 32 (3) Indiana auctioneer commission (IC 25-6.1-2-1).
 33 (4) State board of barber examiners (IC 25-7-5-1).
 34 (5) State boxing commission (IC 25-9-1).
 35 (6) Board of chiropractic examiners (IC 25-10-1).
 36 (7) State board of cosmetology examiners (IC 25-8-3-1).
 37 (8) State board of dental examiners (IC 25-14-1).
 38 (9) State board of funeral and cemetery service (IC 25-15).
 39 (10) State board of registration for professional engineers
 40 (IC 25-31-1-3).
 41 (11) Indiana state board of health facility administrators
 42 (IC 25-19-1).



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- 1 (12) Medical licensing board of Indiana (IC 25-22.5-2).
 2 (13) Mining board (IC 22-10-1.5-2).
 3 (14) Indiana state board of nursing (IC 25-23-1).
 4 (15) Indiana optometry board (IC 25-24).
 5 (16) Indiana board of pharmacy (IC 25-26).
 6 (17) Indiana plumbing commission (IC 25-28.5-1-3).
 7 (18) Board of environmental health specialists (IC 25-32-1).
 8 (19) State psychology board (IC 25-33).
 9 (20) Speech-language pathology and audiology board
 10 (IC 25-35.6-2).
 11 (21) Indiana real estate commission (IC 25-34.1-2-1).
 12 (22) Indiana board of veterinary medical examiners
 13 (IC 15-5-1.1-3).
 14 (23) Department of insurance (IC 27-1).
 15 (24) State police department (IC 10-1-1-1), for purposes of
 16 certifying polygraph examiners under IC 25-30-2.
 17 (25) Department of natural resources for purposes of licensing
 18 water well drillers under IC 25-39-3.
 19 (26) Private detectives licensing board (IC 25-30-1-5.1).
 20 (27) Occupational therapy committee (IC 25-23.5-2-1).
 21 (28) Social worker, marriage and family therapist, **and** mental
 22 health counselor, **and alcohol and drug abuse counselor** board
 23 (IC 25-23.6-2-1).
 24 (29) Real estate appraiser licensure and certification board
 25 (IC 25-34.1-8).
 26 (30) State board of registration for land surveyors
 27 (IC 25-21.5-2-1).
 28 (31) Physician assistant committee (IC 25-27.5).
 29 (32) Indiana athletic trainers board (IC 25-5.1-2-1).
 30 (33) Board of podiatric medicine (IC 25-29-2-1).
 31 (34) Indiana dietitians certification board (IC 25-14.5-2-1).
 32 (35) Indiana physical therapy committee (IC 25-27).
 33 (36) Any other occupational or professional agency created after
 34 June 30, 1981.
- 35 SECTION 6. IC 25-1-9-1 IS AMENDED TO READ AS FOLLOWS
 36 [EFFECTIVE JULY 1, 1999]: Sec. 1. As used in this chapter, "board"
 37 means any of the following:
 38 (1) Board of chiropractic examiners (IC 25-10-1).
 39 (2) State board of dental examiners (IC 25-14-1).
 40 (3) Indiana state board of health facility administrators
 41 (IC 25-19-1).
 42 (4) Medical licensing board of Indiana (IC 25-22.5-2).



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- 1 (5) Indiana state board of nursing (IC 25-23-1).
- 2 (6) Indiana optometry board (IC 25-24).
- 3 (7) Indiana board of pharmacy (IC 25-26).
- 4 (8) Board of podiatric medicine (IC 25-29-2-1).
- 5 (9) Board of environmental health specialists (IC 25-32).
- 6 (10) Speech-language pathology and audiology board
- 7 (IC 25-35.6-2).
- 8 (11) State psychology board (IC 25-33).
- 9 (12) Indiana board of veterinary medical examiners (IC 15-5-1.1).
- 10 (13) Indiana physical therapy committee (IC 25-27-1).
- 11 (14) Respiratory care committee (IC 25-34.5).
- 12 (15) Occupational therapy committee (IC 25-23.5).
- 13 (16) Social worker, marriage and family therapist, ~~and~~ mental
- 14 health counselor, **and alcohol and drug abuse counselor** board
- 15 (IC 25-23.6).
- 16 (17) Physician assistant committee (IC 25-27.5).
- 17 (18) Indiana athletic trainers board (IC 25-5.1-2-1).
- 18 (19) Indiana dietitians certification board (IC 25-14.5-2-1).
- 19 (20) Indiana hypnotist committee (IC 25-20.5-1-7).

20 SECTION 7. IC 25-23.6-1-1.3 IS ADDED TO THE INDIANA
 21 CODE AS A NEW SECTION TO READ AS FOLLOWS
 22 [EFFECTIVE JULY 1, 1999]: **Sec. 1.3. "Alcohol and drug abuse**
 23 **counselor" means an individual engaged in the practice of alcohol**
 24 **and drug abuse counseling.**

25 SECTION 8. IC 25-23.6-1-2 IS AMENDED TO READ AS
 26 FOLLOWS [EFFECTIVE JULY 1, 1999]: Sec. 2. "Board" refers to the
 27 social worker, marriage and family therapist, ~~and~~ mental health
 28 counselor, and **alcohol and drug abuse counselor** board.

29 SECTION 9. IC 25-23.6-1-3.5 IS ADDED TO THE INDIANA
 30 CODE AS A NEW SECTION TO READ AS FOLLOWS
 31 [EFFECTIVE JULY 1, 1999]: **Sec. 3.5. "Core functions of alcohol**
 32 **and drug abuse counseling" refers to the following functions**
 33 **performed by alcohol and drug abuse counselors in the rendering**
 34 **of services to abusers of alcohol and drugs:**

- 35 (1) Screening.
- 36 (2) Intake.
- 37 (3) Orientation.
- 38 (4) Assessment.
- 39 (5) Treatment planning.
- 40 (6) Counseling.
- 41 (7) Case management.
- 42 (8) Crisis intervention.



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1 **(9) Client education.**

2 **(10) Referral.**

3 **(11) Report and record keeping.**

4 **(12) Consultation with other professionals.**

5 SECTION 10. IC 25-23.6-1-3.8 IS AMENDED TO READ AS
6 FOLLOWS [EFFECTIVE JULY 1, 1999]: Sec. 3.8. Except as provided
7 in IC 25-23.6-7-5, as used in this chapter, "counselor" refers to a social
8 worker, clinical social worker, **alcohol and drug abuse counselor**,
9 marriage and family therapist, or a mental health counselor who is
10 licensed under this article.

11 SECTION 11. IC 25-23.6-1-4.2 IS ADDED TO THE INDIANA
12 CODE AS A NEW SECTION TO READ AS FOLLOWS
13 [EFFECTIVE JULY 1, 1999]: Sec. 4.2. "**Licensed alcohol and drug**
14 **abuse counselor**" means an individual engaged in the limited
15 practice of alcohol and drug abuse counseling under the direct
16 supervision of a licensed clinical alcohol and drug abuse counselor
17 in a program certified by the division of mental health under
18 IC 12-23.

19 SECTION 12. IC 25-23.6-1-4.3 IS ADDED TO THE INDIANA
20 CODE AS A NEW SECTION TO READ AS FOLLOWS
21 [EFFECTIVE JULY 1, 1999]: Sec. 4.3. "**Licensed alcohol and drug**
22 **abuse counselor in training**" means an individual engaged in the
23 limited practice of alcohol and drug abuse counseling under the
24 direct supervision of a licensed clinical alcohol and drug abuse
25 counselor in a program certified by the division of mental health
26 under IC 12-23 and performing only those functions directed by a
27 licensed clinical alcohol and drug abuse counselor.

28 SECTION 13. IC 25-23.6-1-4.4 IS ADDED TO THE INDIANA
29 CODE AS A NEW SECTION TO READ AS FOLLOWS
30 [EFFECTIVE JULY 1, 1999]: Sec. 4.4. "**Licensed clinical alcohol**
31 **and drug abuse counselor**" means an individual engaged in the
32 unlimited practice of alcohol and drug abuse counseling.

33 SECTION 14. IC 25-23.6-1-5.7 IS ADDED TO THE INDIANA
34 CODE AS A NEW SECTION TO READ AS FOLLOWS
35 [EFFECTIVE JULY 1, 1999]: Sec. 5.7. "**Practice of alcohol and drug**
36 **abuse counseling**" means professional services that are designed to
37 assist abusers of alcohol and drugs in gaining an understanding of
38 the nature of their disorder and in leading a responsible lifestyle
39 free from alcohol and drug abuse. The practice includes the
40 following services:

41 (1) Using the core functions of alcohol and drug abuse
42 counseling.

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1 **(2) Providing counseling to family members to help them gain**
 2 **an understanding of the nature of alcohol and drug abuse.**

3 **(3) Making referrals to other qualified professionals when**
 4 **appropriate.**

5 SECTION 15. IC 25-23.6-2-1 IS AMENDED TO READ AS
 6 FOLLOWS [EFFECTIVE JULY 1, 1999]: Sec. 1. The social worker,
 7 marriage and family therapist, ~~and~~ mental health counselor, **and**
 8 **alcohol and drug abuse counselor** board is established.

9 SECTION 16. IC 25-23.6-2-2 IS AMENDED TO READ AS
 10 FOLLOWS [EFFECTIVE JULY 1, 1999]: Sec. 2. (a) The board
 11 consists of nine ~~(9)~~ **eleven (11)** members appointed by the governor for
 12 terms of three (3) years. The board must include the following:

13 (1) Two (2) marriage and family therapists who:

14 (A) have at least a master's degree in marriage and family
 15 therapy or a related field from an institution of higher learning;

16 (B) are licensed under this chapter; and

17 (C) have five (5) years of experience in marriage and family
 18 therapy.

19 (2) One (1) social worker who:

20 (A) has at least a master's degree in social work from an
 21 institution of higher education accredited by the Council on
 22 Social Work Education;

23 (B) is licensed under this article; and

24 (C) has at least five (5) years of experience as a social worker.

25 (3) One (1) social services director of a hospital with a social
 26 work degree who has at least three (3) years of experience in a
 27 hospital setting.

28 (4) Two (2) mental health counselors who:

29 (A) have at least a master's degree in mental health
 30 counseling;

31 (B) are licensed under this article; and

32 (C) have at least five (5) years experience as a mental health
 33 counselor.

34 (5) Two (2) consumers who have never been credentialed under
 35 this article.

36 (6) One (1) physician licensed under IC 25-22.5 who has training
 37 in psychiatric medicine.

38 **(7) Two (2) clinical alcohol and drug abuse counselors who:**

39 **(A) are licensed under this article; and**

40 **(B) have at least five (5) years experience as clinical alcohol**
 41 **and drug abuse counselors.**

42 (b) Not more than five ~~(5)~~ **six (6)** members of the board may be

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from the same political party.

SECTION 17. IC 25-23.6-2-8 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 1999]: Sec. 8. (a) The board shall adopt rules under IC 4-22-2 establishing standards for the following:

- (1) The competent practice of marriage and family therapy, social work, clinical social work, ~~and~~ mental health counseling, **and alcohol and drug abuse counseling.**
- (2) The renewal of licenses issued under this article.
- (3) Standards for the administration of this article.
- (4) Continuing education requirements for an individual seeking renewal of licensure as a social worker, clinical social worker, ~~or~~ marriage and family therapist, **clinical alcohol and drug abuse counselor, or alcohol and drug abuse counselor.**
- (5) The retention of patient records and reports by a counselor.
- (6) The approval of continuing education providers, programs, courses, fees, and proof of course completion.

(b) The board shall establish fees under IC 25-1-8-2.

(c) The board shall do the following:

- (1) Consider the qualifications of individuals who apply for a license under this article.
- (2) Provide for examinations required under this article.
- (3) Renew licenses under this article.
- (4) Conduct proceedings under IC 25-1-9.

SECTION 18. IC 25-23.6-2-10.6 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 1999]: **Sec. 10.6. (a) The alcohol and drug abuse counselor section of the board is established. The section consists of the following:**

- (1) Two (2) licensed clinical alcohol and drug abuse counselor members of the board.**
- (2) Two (2) consumer members of the board.**
- (3) One (1) physician member of the board.**

(b) Three (3) members of the alcohol and drug abuse counselor section, two (2) of whom must be licensed clinical alcohol and drug abuse counselors, constitute a quorum.

SECTION 19. IC 25-23.6-2-11 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 1999]: Sec. 11. The social worker, marriage and family therapist, ~~and~~ mental health counselor, **and alcohol and drug abuse counselor** sections of the board shall do the following:

- (1) Approve continuing education courses authorized under this article.

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1 (2) Propose rules to the board concerning the practice of the
2 profession regulated by each section.

3 (3) Other duties as directed by the board.

4 SECTION 20. IC 25-23.6-12 IS ADDED TO THE INDIANA
5 CODE AS A NEW CHAPTER TO READ AS FOLLOWS
6 [EFFECTIVE JULY 1, 1999]:

7 **Chapter 12. Alcohol and Drug Abuse Counselor Licensure**

8 **Sec. 1. The board shall, with the advice of the alcohol and drug**
9 **abuse counselor section, establish standards for the practice of**
10 **alcohol and drug abuse counseling, including privileges, penalties,**
11 **and appropriate scope of practice within the field of alcohol and**
12 **drug abuse counseling for individuals who are licensed as clinical**
13 **alcohol and drug abuse counselors, alcohol and drug abuse**
14 **counselors, and alcohol and drug abuse counselors in training.**

15 **Sec. 2. Except as provided in section 8 of this chapter, to qualify**
16 **for a clinical alcohol and drug abuse counselor license under this**
17 **article, an individual must satisfy the following requirements:**

18 (1) Complete an application for licensure in accordance with
19 the rules adopted by the board.

20 (2) Pay the fees established by the board.

21 (3) Not have been convicted of a crime that has a direct
22 bearing on the applicant's ability to practice competently as
23 determined by the board.

24 (4) Not have had disciplinary action taken against the
25 applicant or the applicant's license by the board or by a
26 licensing agency of another state or jurisdiction on grounds
27 that the applicant was unable to safely practice alcohol and
28 drug abuse counseling, when the grounds for discipline are
29 still valid as determined by the board.

30 (5) Show to the satisfaction of the board that the applicant
31 has:

32 (A) received at least a master's degree in alcohol and drug
33 abuse counseling, marriage and family therapy, pastoral
34 counseling, social work, applied human development,
35 psychology, or nursing from an:

36 (i) institution of higher learning with degree programs
37 acceptable to the board; or

38 (ii) educational institution not located in the United
39 States that has a program of study that meets the
40 standards of the board;

41 (B) passed nationally standardized written and oral
42 examinations in alcohol and drug abuse counseling



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- approved by the board;
- (C) submitted documentation of three (3) years (six thousand (6,000) hours) of supervised alcohol and drug abuse counseling experience in the five (5) years before the date of the application, including at least one (1) year in the area of alcohol abuse counseling or its equivalent and at least one (1) year in the area of drug abuse counseling or its equivalent;
- (D) submitted documentation of the completion of at least three hundred (300) hours of an approved, supervised practicum in alcohol and drug abuse counseling using the core functions of alcohol and drug abuse counseling; and
- (E) submitted documentation of the completion of at least two hundred seventy (270) hours of formal training, including at least ninety (90) hours in each of the following areas:
 - (i) Alcohol abuse.
 - (ii) Drug abuse.
 - (iii) Counseling.

Sec. 3. Except as provided in section 8 of this chapter, to qualify for an alcohol and drug abuse counselor license under this article, an individual must satisfy the following requirements:

- (1) Complete an application for licensure in accordance with the rules adopted by the board.
- (2) Pay the fees established by the board.
- (3) Not have been convicted of a crime that has a direct bearing on the applicant's ability to practice competently as determined by the board.
- (4) Not have had disciplinary action taken against the applicant or the applicant's license by the board or by a licensing agency of another state or jurisdiction on grounds that the applicant was unable to safely practice alcohol and drug abuse counseling, when the grounds for discipline are still valid as determined by the board.
- (5) Show to the satisfaction of the board that the applicant has:
 - (A) received at least a bachelor's degree in alcohol and drug abuse counseling, social work, applied human development, psychology, nursing, or other degree program acceptable to the board from an:
 - (i) institution of higher learning with degree programs acceptable to the board; or

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- 1 (ii) educational institution not located in the United
- 2 States that has a program of study that meets the
- 3 standards of the board;
- 4 (B) passed nationally standardized written and oral
- 5 examinations in alcohol and drug abuse counseling
- 6 approved by the board;
- 7 (C) submitted documentation of two (2) years (four
- 8 thousand (4,000) hours) of supervised counseling
- 9 experience;
- 10 (D) submitted documentation of the completion of at least
- 11 one hundred eighty (180) hours of formal training in
- 12 alcohol and drug abuse counseling; and
- 13 (E) submitted documentation of the completion of at least
- 14 two hundred twenty (220) hours of an approved,
- 15 supervised practicum in alcohol and drug abuse counseling
- 16 using the core functions of alcohol and drug abuse
- 17 counseling.

18 **Sec. 4. Except as provided in section 8 of this chapter, to qualify**
 19 **for an alcohol and drug abuse counselor in training license under**
 20 **this article, an individual must satisfy the following requirements:**

- 21 (1) Complete an application for licensure in accordance with
- 22 the rules adopted by the board.
- 23 (2) Pay the fees established by the board.
- 24 (3) Not have been convicted of a crime that has a direct
- 25 bearing on the applicant's ability to practice competently as
- 26 determined by the board.
- 27 (4) Not have had disciplinary action taken against the
- 28 applicant or the applicant's license by the board or by a
- 29 licensing agency of another state or jurisdiction on grounds
- 30 that the applicant was unable to safely practice drug and
- 31 alcohol abuse counseling, when the grounds for discipline are
- 32 still valid as determined by the board.
- 33 (5) Show to the satisfaction of the board that the applicant
- 34 has:
- 35 (A) received at least an associate's degree in alcohol and
- 36 drug abuse counseling, human services, nursing, or other
- 37 degree program acceptable to the board from an:
- 38 (i) institution of higher learning with degree programs
- 39 acceptable to the board; or
- 40 (ii) educational institution not located in the United
- 41 States that has a program of study that meets the
- 42 standards of the board;

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1 (B) passed nationally standardized written and oral
2 examinations in alcohol and drug abuse counseling
3 approved by the board; and

4 (C) submitted documentation of one (1) year (two thousand
5 (2,000) hours) of supervised experience in the field of
6 alcohol and drug abuse counseling. Up to six (6) months
7 (one thousand (1,000) hours) of this requirement may be
8 satisfied by:

9 (i) a bachelor's or graduate degree in the human services
10 area from an accredited college or university;

11 (ii) specialized education in alcohol abuse or drug abuse;
12 or

13 (iii) at least three (3) years of voluntary participation in
14 a program to eliminate alcohol and drug abuse.

15 **Sec. 5. (a) This chapter may not be construed to limit the alcohol
16 and drug abuse counseling services performed by a person who
17 does not use a title specified in this chapter and who is one (1) of
18 the following:**

19 (1) A physician licensed under IC 25-22.5.

20 (2) A nurse licensed under IC 25-23.

21 (3) A psychologist licensed under IC 25-33.

22 (4) A rabbi, priest, Christian Science practitioner, minister, or
23 other member of the clergy.

24 (5) An employee of or a volunteer for a nonprofit corporation
25 or an organization performing charitable, religious, or
26 educational functions or providing pastoral counseling or
27 other assistance.

28 (6) A marriage and family therapist, a social worker, or a
29 mental health counselor licensed under this article.

30 (7) A licensed alcohol and drug abuse counselor or a licensed
31 alcohol and drug abuse counselor in training practicing under
32 the direct supervision of:

33 (A) a clinical alcohol and drug abuse counselor;

34 (B) a physician licensed under IC 25-22.5; or

35 (C) a psychologist licensed under IC 25-33;

36 unless the licensed alcohol and drug abuse counselor or the
37 licensed alcohol and drug abuse counselor in training
38 conducts testing for appraisal or evaluation purposes.

39 (b) An individual may not:

40 (1) engage in the practice of alcohol and drug abuse
41 counseling; or

42 (2) profess to be or use words, letters, abbreviations, or

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insignia indicating that the individual is an alcohol and drug abuse counselor; unless the individual is licensed under this article as a clinical alcohol and drug abuse counselor, an alcohol and drug abuse counselor, or an alcohol and drug abuse counselor in training.

(c) An individual who knowingly or intentionally violates this section commits a Class A misdemeanor.

Sec. 6. (a) A license issued by the board is valid for the remainder of the renewal period in effect on the date the license was issued.

(b) An individual may renew a license by:

- (1) paying a renewal fee on or before the expiration date of the license; and
- (2) completing the continuing education requirements established by the board under IC 25-23.6-2-8.

(c) If an individual fails to meet the requirements of subsection (b), the license becomes invalid.

Sec. 7. (a) The board may reinstate an expired license up to three (3) years after the expiration date of the license if the individual holding the expired license:

- (1) pays a penalty fee for late renewal;
- (2) pays the renewal fee under section 6(b) of this chapter; and
- (3) completes the continuing education requirement.

(b) If more than three (3) years have elapsed since the date a license expired, the individual holding the license may renew the license by satisfying the requirements for renewal established by the board.

Sec. 8. An applicant may, upon the payment of a fee established by the board, be granted a license if the applicant submits satisfactory evidence to the board that the applicant has been authorized to practice alcohol and drug abuse counseling in another state or country and has qualifications substantially equivalent to those specified in this chapter for the license sought by the applicant.

Sec. 9. Licensed alcohol and drug abuse counselors may not practice:

- (1) counseling for the purpose of recovering a memory of child abuse or other similar condition, unless the individual is licensed in a discipline that is permitted to engage in such counseling; or
- (2) hypnosis unless the counselor is certified under IC 25-20.5.

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1 SECTION 21. [EFFECTIVE JULY 1, 1999] (a) As used in this
2 SECTION, "addiction specific education" means educational
3 courses focused on alcohol abuse and drug abuse counseling.

4 (b) As used in this SECTION, "board" means the social worker,
5 marriage and family therapist, mental health counselor, and
6 alcohol and drug abuse counselor board established under
7 IC 25-23.6-2-1, as amended by this act.

8 (c) As used in this SECTION, "case presentation examination"
9 means an oral examination that assesses an individual's skill and
10 competence in the application of the core functions of alcohol and
11 drug abuse counseling.

12 (d) As used in this SECTION, "personal recovery" means an
13 ongoing attempt by an individual to recover from alcohol abuse or
14 drug abuse, or both.

15 (e) As used in this SECTION, "voluntary services in alcohol and
16 drug abuse counseling" means the activities of a group of
17 individuals who voluntarily offer peer support to one another in
18 the process of recovering from alcohol abuse or drug abuse, or
19 both.

20 (f) Notwithstanding IC 25-23.6-12, as added by this act, the
21 board established under IC 25-23.6-2-1, as amended by this act,
22 may license an individual as a clinical alcohol and drug abuse
23 counselor if the individual satisfies one of the following:

24 (1) The individual is licensed under IC 25-33 as a psychologist
25 or under IC 25-23.6 as a clinical social worker, mental health
26 counselor, or marriage and family therapist. The individual
27 must also demonstrate competency in the field of alcohol and
28 drug abuse counseling as determined by the alcohol and drug
29 abuse counselor section of the board and have:

30 (A) completed two thousand (2,000) hours of supervised
31 alcohol and drug abuse counseling, including at least
32 fifteen (15) hours in each of the core functions of alcohol
33 and drug abuse counseling;

34 (B) completed five (5) years of personal recovery and one
35 thousand five hundred (1,500) hours of supervised alcohol
36 and drug abuse counseling;

37 (C) completed two thousand (2,000) hours of voluntary
38 services in alcohol and drug abuse counseling, including at
39 least fifteen (15) hours in each of the core functions of
40 alcohol and drug abuse counseling;

41 (D) completed ninety (90) hours of addiction specific
42 education;

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- 1 (E) passed the case presentation examination; or
 2 (F) passed nationally standardized written and oral
 3 examinations in alcohol and drug abuse counseling
 4 approved by the board.
 5 (2) The individual has:
 6 (A) a bachelor's degree;
 7 (B) at least three (3) years of experience in alcohol and
 8 drug abuse counseling; and
 9 (C) completed a practicum approved by the alcohol and
 10 drug abuse counselor section of the board of at least three
 11 hundred (300) hours of alcohol and drug abuse counseling.
 12 (3) The individual has:
 13 (A) at least six (6) years of experience in alcohol and drug
 14 abuse counseling; and
 15 (B) completed a practicum approved by the alcohol and
 16 drug abuse counselor section of the board of at least three
 17 hundred (300) hours of alcohol and drug abuse counseling.
 18 (g) This SECTION expires July 1, 2001.
 19 SECTION 22. [EFFECTIVE JULY 1, 1999] (a) As used in this
 20 SECTION, "board" means the social worker, marriage and family
 21 therapist, mental health counselor, and alcohol and drug abuse
 22 counselor board established under IC 25-23.6-2-1, as amended by
 23 this act.
 24 (b) Notwithstanding IC 25-23.6-2-2, as amended by this act, the
 25 governor shall appoint the initial clinical alcohol and drug abuse
 26 counselor members of the board before September 1, 1999, for
 27 terms expiring as follows:
 28 (1) One (1) clinical alcohol and drug abuse counselor member
 29 for a term expiring June 30, 2001.
 30 (2) One (1) clinical alcohol and drug abuse counselor member
 31 for a term expiring June 30, 2002.
 32 (c) Not more than six (6) members of the board may be from the
 33 same political party.
 34 (d) This SECTION expires July 1, 2002.

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