

SENATE BILL NO. 166

INTRODUCED BY T. GAUTHIER

A BILL FOR AN ACT ENTITLED: "AN ACT GENERALLY REVISING LAWS RELATED TO ADDICTION COUNSELORS; REVISING LICENSURE REQUIREMENTS AND EDUCATION REQUIREMENTS FOR ADDICTION COUNSELORS; REVISING REGISTRATION REQUIREMENTS FOR ADDICTION COUNSELOR LICENSURE CANDIDATES; ALLOWING CRIMINAL BACKGROUND CHECKS FOR ADDICTION COUNSELOR LICENSE APPLICANTS; AND AMENDING SECTION 37-35-202, MCA."

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

Section 1. Section 37-35-202, MCA, is amended to read:

"37-35-202. Licensure and registration requirements -- examination -- fees -- fingerprint check.

(1) To be eligible for licensure as a licensed addiction counselor, the applicant shall submit an application fee in an amount established by the board by rule and a written application on a form provided by the board that demonstrates that the applicant has completed the eligibility requirements and competency standards as defined by board rule.

(2) ~~A person may apply for licensure as a licensed addiction counselor if the person has~~ An applicant must meet the following degree requirements:

(a) ~~received a~~ a minimum of a baccalaureate or advanced degree from an accredited college or university in one of the following areas: in

(i) alcohol and drug studies;

(ii) psychology;

(iii) sociology;

(iv) social work;

(v) counseling, or a comparable degree from an accredited college or university; or

(vi) human services;

(vii) psychiatric rehabilitation; or

1 (viii) community health;

2 (b) ~~received a minimum of an associate of arts degree or certificate from an accredited institution in~~
3 one of the following areas:

4 (i) alcohol and drug studies;

5 (ii) addiction; or

6 (iii) ~~substance abuse from an accredited institution.~~ substance abuse; or

7 (c) a minimum of a baccalaureate or advanced degree from an accredited college or university in any
8 area. Either as part of that degree or taken as courses outside the degree from an accredited college or
9 university, the applicant must have the following:

10 (i) six semester credits in human behavior, sociology, psychology, or a similar emphasis;

11 (ii) three semester credits in psychopathology or course work exploring patterns and courses of
12 abnormal or deviant behavior; and

13 (iii) six semester credits in counseling. Three of these six credits must be in group counseling and
14 three must be in the theory of counseling.

15 (3) Prior to becoming eligible to begin the examination process, each ~~person~~ applicant shall complete
16 supervised work experience in:

17 (a) an addiction treatment program as defined by the board, in;

18 (b) a program approved by the board, or in; or

19 (c) a similar program recognized under the laws of another state.

20 (4) Each applicant for licensure as a licensed addiction counselor shall successfully ~~complete a~~
21 ~~competency examination, in writing only, as defined by rules adopted by the board~~ pass a written examination
22 prescribed by the board.

23 (5) ~~(a) Except as provided in subsections (5)(d) and (6), an applicant who has completed the~~
24 ~~requirements of subsection (2) but has not completed the required supervised work experience may apply for~~
25 ~~registration as an addiction counselor licensure candidate~~ (a) A person who has completed the education
26 required for licensure but who has not completed the supervised work experience required for licensure shall
27 register as an addiction counselor licensure candidate in order to engage in addiction counseling and earn
28 supervised work experience hours in this state.

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- 2 ~~(b) An application for registration as an addiction counselor licensure candidate must be approved if it~~
- 3 ~~is determined that:~~
- 4 ~~(i) a complete application approved by the board has been submitted;~~
- 5 ~~(ii) there is no legal or disciplinary action against the applicant in this or any other state;~~
- 6 ~~(iii) the applicant for registration as an addiction counselor licensure candidate may only function under~~
- 7 ~~the supervision of a supervisor who is trained in addiction counseling or a related field as defined by rule and~~
- 8 ~~who has an active license in good standing in Montana or any other state; and~~
- 9 ~~(iv) the applicant has completed all educational requirements as prescribed in subsection (2)(a) or~~
- 10 ~~(2)(b).~~
- 11 ~~(e)(b)~~ A person registered as an addiction counselor licensure candidate shall register annually until
- 12 the person becomes a licensed addiction counselor. The board may limit the number of years that a person
- 13 may act as an addiction counselor licensure candidate.
- 14 ~~(d)(c)~~ A student is not required to register as an addiction counselor licensure candidate.
- 15 ~~(6) The provisions of subsection (5) do not apply until the board has adopted rules implementing this~~
- 16 ~~section. The rules must provide for a waiver of the provisions of subsection (5) for a person who is engaged in a~~
- 17 ~~supervised work experience prior to the adoption of the rules.~~
- 18 ~~(7)(6)~~ (a) As a prerequisite to the issuance of a license as an addiction counselor and registration as
- 19 an addiction counselor licensure candidate, the board shall require an applicant to submit fingerprints for the
- 20 purpose of fingerprint checks by the Montana department of justice and the federal bureau of investigation as
- 21 provided in 37-1-307. The board may require a criminal background check of applicants and determine the
- 22 suitability for licensure as provided in 37-1-201 through 37-1-205 and 37-1-307.
- 23 (b) If an applicant has a history of criminal convictions, then pursuant to 37-1-203, the applicant has
- 24 the opportunity to demonstrate to the board that the applicant is sufficiently rehabilitated to warrant the public
- 25 trust and if the board determines that the applicant is not, the license may be denied.
- 26 ~~(8)(7)~~ A person holding a license to practice as a licensed addiction counselor in this state may use
- 27 the title "licensed addiction counselor".
- 28 ~~(9) For the purposes of this section, "comparable degree" means a degree with accredited college~~

1 ~~course work, of which 6 credit hours must be in human behavior, sociology, psychology, or a similar emphasis,~~
2 ~~3 credit hours must be in psychopathology or course work exploring patterns and courses of abnormal or~~
3 ~~deviant behavior, and 9 credit hours must be in counseling. For the 9 credit hours in counseling, 6 credit hours~~
4 ~~must be in group counseling and 3 credit hours must be in the theory of counseling. The credit hours specified~~
5 ~~in this subsection may be obtained in an associate or master's degree program if the applicant does not have a~~
6 ~~qualifying baccalaureate degree."~~

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