



## Draft Certification and Licensure Language Broad-spectrum Analysis

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*Provided by  
The California Association of Alcoholism & Drug Abuse Counselors (CAADAC)*

### **Introduction:**

*CAADAC supports the department's efforts that promote professionalism and inclusiveness within the proposed legislation. We are encouraged by its intent and are resolved to assist the department and legislature throughout its developmental stages. As such, we have analyzed the measure at length and will provide general and technical assistance wherever possible. Following are general comments regarding the major provisions of the proposed legislation. CAADAC has also prepared a detailed analysis, cross referenced by section number, which will be submitted as technical assistance to department staff.*

### **Development, Administration and Implementation:**

CAADAC encourages the department to establish a board for the administration and implementation of the provisions of the proposed measure. The majority of licensing boards in California and the nation have established boards that are specific to the profession. Marriage and family therapists, psychologists, and numerous other healing arts professions in California are regulated by boards or bureaus. As is common in other professions, it is suggested that the certification and licensing board for alcohol and drug counselors consist of alcohol/drug counselors and other related professionals and consumers. We propose that the department establish a board to specifically administer, implement, and carry out the functions of the certification and licensing of counselors. Additionally, this board would act to enforce the laws relating to consumer protection; impose compliance; and apply sanctions or penalties on counselors who violate the code of professional conduct.

### **Certification and Licensure Requirements:**

CAADAC fully supports a tiered system of certification and licensing of alcohol and drug counselors to ensure an adequate workforce. As written, the certification and licensure requirements are inconsistent with the national trends and established job task analysis. It is also pertinent to include "portability" of such credentials to ensure certified and licensed individuals have reciprocity in other states or countries. CAADAC highly recommends the department consider a similar tiered system as was proposed at meetings hosted by the Assembly Select Committee on Drug and Alcohol Abuse Chair, Assembly Member Jim Beall. [Table 1].

**Table 1**

Level of Certification or License	Credential Requirements
<b>Registered Recovery Worker Trainee</b>	Working toward certification (registered recovery worker or student) As written in current regulations. (may not provide counseling (group process or individual), assessment, or treatment planning)
<b>Level I</b> – Certified, requires supervision	350 hrs. Education, 300 hours of supervised practicum. Written Exam and 4,000hrs of experience.
<b>Level II</b> – Advanced Certification – May supervise RRW/Trainee and Level I	Must meet all of level II requirements, plus an additional 6,000 hours of AODA counseling specific work experience (10,000 total), 30 hrs of Supervision Education and must include 200 hours of face-to-face clinical supervision. An associate's degree in behavioral science may substitute for 1000 hours; a bachelor's degree in behavioral science may substitute for 2000 hours; a master's degree in behavioral science may substitute for 4000 hours.
<b>Level III</b> - Licensed Licensed Alcohol and Drug Counselor. May work in private practice, and supervise registered individuals, Level I and Level II.	180 hours alcohol/drug specific education, plus 300 hours supervised practicum, Written Exam, MA Degree in behavioral science & additional 2,000 hrs experience.

**Education Requirements:**

CAADAC is appreciative of the department's foresight to include education requirements for alcohol and drug counselor certification/licensure. It is one of the most important elements in assuring our counselors are well equipped while also providing consumer protection.

Curriculum and/or education requirements for counselor certification/licensure is most effective when it is based on the Job Task Analysis (JTA) which is directly associated to the examination development. The JTA is created by subject matter experts (SME's) who are professionals who practice in a particular profession/field. The core education (also known as performance domains) is inclusive of the tasks that counselors complete on a daily basis. The performance domains are defined by the SME's to standardize the areas of education specific to effective performance of the counselor. CAADAC suggests that the department (board) utilize the eight performance domains as outlined in the TAP 21 and TAP 21A; which includes the 12 core functions (as in table 2) in determining the appropriate education components for each level.

Additionally, CAADAC suggests that alcohol and drug counseling education offered widely in community colleges (WASC accredited) and private post secondary institutes who are not necessarily WASC accredited be accepted for credit toward licensure and certification. Many private post secondary educational institutions are approved by the Department of Education and/or may be accredited by a national accreditation body, such as the Accreditation Council for Continuing Education and Training (ACCET). A licensure/certification board with experienced professionals could help guide the accrediting of educational institutions applying to provide education to applicants.

It is also recommended that any educational provider being considered for accreditation offer comprehensive alcohol/drug counseling studies programs. This would allow the legislation to sunset the provisions that allow “related field” exceptions for education requirements.

It is further suggested that there be a condition inserted within the proposed legislation that all education courses meet the requirements of the performance domains, which includes the tasks of the 12 Core functions and the TAP 21 domains. (See Table 2). Additionally, the supervised practicum (or internship/externship) is aligned according to the JTA.

**Table 2: Performance Domains**

Performance Domain 1: Clinical Evaluation
Performance Domain 2: Treatment Planning
Performance Domain 3: Referral
Performance Domain 4: Service Coordination
Performance Domain 5: Counseling
Performance Domain 6: Client, Family and Community Education
Performance Domain 7: Documentation
Performance Domain 8: Professional and Ethical Responsibilities
Supervised Practicum (internship/externship). This requirement includes 21 hours in each of the 12 Core Functions (see below) which is required of the substance counselor and performed in an approved clinical setting.
All performance domains (above) include the specific tasks of alcohol/drug counseling known as "core functions," as follows:  (1) Screening, (2) Intake, (3) Orientation, (4) Assessment, (5) Treatment Planning, (6) Counseling (individual, group, and significant others), (7) Case Management, (8) Crisis Intervention, (9) Client Education, (10) Referral, (11) Reports and Recordkeeping, (12) Consultation (with other professionals in regard to client treatment and services).

**Experience:**

The proposed legislation stipulates that the experience gained for certification/licensure is to be obtained in a supervised setting; thus, the work experience should be referred to as “supervised work experience.” As currently drafted “supervised work experience” refers to the practicum/internship portion of education. This may lead to confusion. CAADAC recommends that internship/practicum be labeled as such and “supervised work experience” be used to refer to the hours of professional experience gained by a professional in the field.

The section requiring “70% of the required hours be face to face individual or group counseling“ does not align with the performance domains. The terms of this section appear to be replicated from other licensed professionals and are not consistent with the typical education/experience requirements common to current certifying organizations. It is highly suggested that the actual language include 70 hours considered “contact” hours within the aforementioned performance domains.

### **Clinical Supervision:**

CAADAC applauds the department's requirement for supervision of certified counselors in licensed and certified facilities. The supervision requirements address the Governor's concerns related to the creation of a "dual" system of treatment where competency and supervision is greater in the private practice arena than in a publicly funded treatment setting. We suggest the inclusion of interns seeking licensed status in this section to ensure consumer protection in the private sector as well.

### **Provisional status, Grand-parenting and Development of Regulations:**

CAADAC is very optimistic that the department has allowed optimum flexibility to address grand-parenting and the development of regulations to accommodate inclusion of the current workforce.

It is recommended that the department further define the "provisional" status in the legislation and the mechanism for grand-parenting. It appears as though the section regarding "provisional" certification specifically communicates the development of regulations with regard to the current workforce, yet, it does not define them adequately. Our constituency prefers that the proposed legislation include an explicitly delineated grand-parenting provision that assures the entire current California workforce is sustained. As written, the proposal does not include a grandparent or provisional status for the licensed tier. Professionals at this level also need assurances that credit for their experience and education will not be diminished by the new law.

### **Criminal Background Check:**

CAADAC recognizes the need for consumer protection in the field, but would highly recommend that the department carefully consider the impact of narrowly constructed background limitations on the current workforce. A survey process to determine the potential impact background checks will have on the current workforce may be necessary to establish parameters for this component of the legislation. The department may wish to weigh the potential litigation exposure that may result if exclusionary language is placed within the legislation. For example: a seasoned counselor, working in the profession for 20 years, who has met the current counselor certification regulations is terminated due to the outcome of the criminal background findings prior to the current regulations in place. Many states have used a "wash out" period to allow current counselors to continue practicing, while adopting a higher standard for the future workforce.

### **Exemptions:**

Currently, the proposed bill covers many exemptions for other jurisdictions outside of the department's authority. Current Department of Transportation federal regulations give certified Substance Abuse Professionals (SAPs) authorization to practice privately. CAADAC suggests the department add Substance Abuse Professionals (SAPs) to the exemptions or include them in grand-parenting provisions under the licensed terms.

## **Conduct and Sanctions:**

Engaging in sexual relations with a client or former client within two years from the termination of therapy is not standard practice within the code(s) of ethics for alcohol/drug counselors. It is suggested the department consider the potential liabilities that the client/former client may experience as a result of such a relationship and revise this provision to prohibit sexual relationships with clients/former clients altogether.

Additionally, the director has authority to temporarily suspend a license certification or registration and serve an accusation at the same time. We admire the department's insight with relation to that specific section of the bill. CAADAC is concerned the allotted timelines may be much too short for the department to adequately address and respond to such issues.

## **Closing:**

CAADAC is grateful to the department for their willingness to professionalize the alcohol and drug counseling profession. We are available to provide technical assistance to the department and legislature with regard to our analysis and the proposed measure. Additionally, once the proposed legislation is adopted, CAADAC will work closely with the department to ensure the easiest transition and implementation of this comprehensive and professional system of certification and licensure for alcohol and drug counselors. We appreciate the opportunity of participating in this process.