

**TITLE 38. OKLAHOMA BOARD OF LICENSED ALCOHOL AND DRUG
COUNSELORS
CHAPTER 10. LICENSURE AND CERTIFICATION OF ALCOHOL AND DRUG
COUNSELORS**

RULEMAKING ACTION

PERMANENT final adoption

RULES

38:10-3-2. Code of ethics [AMENDED]

38:10-7-2. Requirements for licensure or certification [AMENDED]

38:10-7-3. Private or independent practice [AMENDED]

38:10-7-6. Application [AMENDED]

38:10-7-7. Examinations [AMENDED]

38:10-11-1. Schedule of fees [AMENDED]

38:10-13-2. Continuing education standards [AMENDED]

38:10-13-7. Providers of Continuing Education [NEW]

AUTHORITY

Oklahoma Board of Licensed Alcohol and Drug Counselors; 59 O.S., § 1875-1 and § 1884
(B).

SUBMISSION OF PROPOSED RULES TO GOVERNOR AND CABINET SECRETARY:

December 18, 2017

COMMENT PERIOD

December 18, 2017 until the conclusion of the public hearing on February 21, 2018

PUBLIC HEARING

February 21, 2018

ADOPTION

March 19, 2018

SUBMISSION OF ADOPTED RULES TO GOVERNOR AND LEGISLATURE

March 26, 2018

APPROVED BY GOVERNOR'S DECLARATION

Approved by Governor's on June 18, 2018

FINAL ADOPTION

June 18, 2018

EFFECTIVE

September 14, 2018

SUPERSEDED EMERGENCY ACTIONS

n/a

INCORPORATION BY REFERENCE

n/a

GIST/ANALYSIS

The proposed rule change to Subchapter 3 amends the Code of Ethics provision concerning sexual relationships with clients and former clients to clarify the time frame of the prohibition. Section 2 of Subchapter 7 is amended to clarify the scope of practice of an LADC who does not have the MH designation. A new subsection is added to define "direct client contact." New language is added to Section 3, providing that it shall be considered unlawful private or independent practice for a candidate for licensure or certification who owns or operates a counseling business to oversee clinical services for the business. Amendments to Sections 6 and 7 establish new criteria for when inactive applications become void, and requirements for applicants with multiple exam failures.

Subchapter 11 is amended to increase the application fees to one hundred seventy-five dollars (\$175.00), the initial license or certification fee to one hundred twenty-five dollars (\$125.00) and the annual license or certification renewal fee to one hundred twenty-five dollars (\$125.00). New fees added to Subchapter 11 are a twenty-five dollar (\$25.00) annual application maintenance fee to defray the cost of monitoring compliance with supervision requirements and a twenty-five dollar (\$25.00) late fee for each month the maintenance fee is past due up to 3 months. Other new fees are added for approval of continuing education programs. Continuing education providers will be charged a two hundred dollar (\$200.00) annual fee for designation as an approved provider for all programs offered within the year. Licensees will be charged a twenty-five dollar (\$25.00) fee for approval of an event offered by a non-approved provider. A new section is added to Subchapter 13 setting forth the procedures and requirements for approval of continuing education providers and programs.

CONTACT PERSON

Richard D. Pierson, Executive Director, (405) 521-0779, or рпиerson@okdrugcounselors.org.

ADDITIONAL INFORMATION

Any additional information desired will be supplied upon request.

PURSUANT TO THE ACTIONS DESCRIBED HEREIN, THE FOLLOWING RULES ARE CONSIDERED FINALLY ADOPTED AS SET FORTH IN 75 O.S., SECTIONS 250.3(5) AND 308(E), WITH AN EFFECTIVE DATE OF September 14, 2018.

TITLE 38. OKLAHOMA BOARD OF LICENSED ALCOHOL AND DRUG COUNSELORS

CHAPTER 10. LICENSURE AND CERTIFICATION OF ALCOHOL AND DRUG COUNSELORS.

SUBCHAPTER 3. RULES OF PROFESSIONAL CONDUCT

38:10-3-2. Code of ethics

- (a) It shall be the responsibility of Licensed and Certified Alcohol and Drug Counselors to value objectivity and integrity, and in providing services, to strive to maintain the highest standards of their profession.
- (b) LADCs and CADCs shall accept responsibility for the consequences of their work and make every effort to ensure their services are used appropriately.
- (c) LADCs and CADCs shall be alert to personal, social, organizational, financial, and political situations or pressures that might lead to the misuse of their influence.
- (d) LADCs and CADCs shall not participate in, condone, or be associated with dishonesty, fraud, sexual harassment, deceit or misrepresentation.

- (e) LADCs and CADCs shall not exploit their relationships with current or former clients, supervisees, students, employees, or research participants, sexually or otherwise, for personal advantage, profit, satisfaction, or interest.
- (f) LADCs and CADCs shall not solicit the clients of one's employing agency for private practice.
- (g) LADCs and CADCs shall terminate service to clients, and professional relationships with them when such service and relationships are no longer required or in which a conflict of interest arises.
- (h) LADCs and CADCs shall not engage in any romantic or sexual relationship with a client, or with a person who has been a client within the past three years. LADCs and CADCs shall not accept as a client anyone with whom they have engaged in a romantic or sexual relationship.
- ~~(i) The LADC or CADC/client relationship shall be presumed to exist for a period of six months after the termination of services except where circumstances such as, but not limited to, selection of a new therapist shows otherwise.~~
- ~~(j)~~(i) The LADC and CADC shall give precedence to his or her professional responsibility over personal interests.
- ~~(k)~~(j) The LADC and CADC shall not represent that he or she performed services which he or she did not perform.
- ~~(l)~~(k) LADCs and CADCs shall not divide a fee or accept or give anything of value for receiving or making a referral.
- ~~(m)~~(l) LADCs and CADCs shall provide clients at the beginning of service written, accurate and complete information regarding the extent and nature of the services available to them, to include fees and manner of payment.
- ~~(n)~~(m) In addition to the above stated provisions each LADC and CADC shall sign and adhere to the written code of ethics as set forth in Appendix A of this Chapter.
- ~~(o)~~(n) LADC/MH applicants will need to sign the Code of Ethics for Co-Occurring Disorders as found in Appendix B.

SUBCHAPTER 7. APPLICATION.

38:10-7-2. Requirements for licensure or certification

- (a) Licensed Alcohol and Drug Counselor.
 - (1) An application for a license to practice as a LADC shall be made to the Oklahoma Board of Licensed Alcohol and Drug Counselors in writing. Such application shall be on a form and in a manner prescribed by the Board. The application shall be accompanied by the fee required by the act, which shall be retained by the Board and not returned to the applicant.
 - (2) Each applicant shall:
 - (A) Be of good moral character;
 - (B) Pass an oral and written examination;
 - (C) Be at least twenty-one (21) years of age;
 - (D) Not have engaged in, nor be engaged in, any practice or conduct which would be grounds for denying, revoking or suspending a license pursuant to the provisions of the Act;

(E) Otherwise comply with the rules promulgated by the Board pursuant to the provisions of the Act.

(3) In addition to the requirements in subsection (a) (2), each applicant shall:

(A) Have at least a master's degree in alcohol and substance abuse counseling or other clinical counseling field recognized by the Oklahoma Board of Licensed Alcohol and Drug Counselors from a college or university accredited by an accrediting body recognized by the U.S. Department of Education. The degree program must include, at a minimum, the courses and the practicum/internship listed in 59 O.S. § 1876 (D) (1) and;

(B) Have successfully completed at least one (1) year of full-time supervised work experience. For the purpose of the Act, "one (1) year of full-time work experience" shall be defined as two thousand (2,000) hours of work experience, of which at least one thousand (1,000) hours shall consist of direct client contact providing behavioral health services to an individual and/or the individual's family. At least five hundred (500) hours of the one thousand (1,000) direct client contact hours must be the provision of alcohol and drug counseling services; or

(C) Be a licensed mental health professional as defined in Section 1-103 of Title 43A of the Oklahoma Statutes and have completed a minimum of fifteen (15) hours of master's level substance abuse specific coursework, including, but not limited to, chemical addiction, counseling, alcohol/drug counseling theory, pharmacology of drugs and abuse, assessment and treatment of alcohol and drug problems, theories in family addiction and family addiction counseling. An applicant who qualifies under this subsection is not required to complete the supervised work experience.

(D) An applicant must complete all requirements for licensure, including passing the exams, within three (3) years of the date the application was accepted.

(E) Persons who meet the requirements in subsection (a) may include the assessment, diagnosis, and treatment of mental health disorders within the LADC scope of practice. The designation LADC/MH (licensed alcohol and drug counselor/mental health) shall be noted on their license and wallet card.

(F) Persons who were licensed as LADC or made application prior to January 1, 2012 and who meet the requirements in subsection (a) may make application for the LADC/MH designation. Applicants must submit a completed application on the form prescribed by the Board and pay a fee of one hundred forty dollars (\$140) which shall be retained by the Board and not returned to the applicant. The application must include:

(i) An official transcript in a sealed envelope showing that the applicant has obtained the educational requirements;

(ii) Proof that the applicant holds a valid license in good standing in one of the behavioral health professions listed in 59 O.S. § 1876 (F)(1);

(iii) For applicants who do not meet the requirements in (a) (3) (A) or (a) (3) (B), proof that the applicant has a valid co-occurring disorders certification from a certification entity approved by the Board.

(G) The scope of practice of a LADC who does not have the MH designation may not include provision of services that focus solely on mental health disorders. The LADC may provide services for a client with no independent substance use disorder if services are focused on the client's exposure to a family member's substance abuse.

(b) Certified Alcohol and Drug Counselor.

(1) An application for certification as a CADC shall be made to the Oklahoma Board of Licensed Alcohol and Drug Counselors in writing. Such application shall be on a form and in a manner prescribed by the Board. The application shall be accompanied by the fee required by the Act, which shall be retained by the Board and not returned to the applicant.

(2) Each applicant for certification shall:

- (A) Be of good moral character;
- (B) Pass an oral and written examination;
- (C) Be at least twenty-one (21) years of age;
- (D) Not have engaged in, nor be engaged in, any practice or conduct which would be grounds for denying, revoking or suspending a license pursuant to the provisions of the Act;
- (E) Otherwise comply with the rules promulgated by the Board pursuant to the provisions of the Act.
- (F) At a minimum, a bachelor's degree in a behavioral science field that is recognized by the Oklahoma Board of Licensed Alcohol and Drug Counselors as appropriate to practice as a certified drug and alcohol counselor in this state;
- (G) Have successfully completed at least two (2) years of full-time supervised work experience. For the purpose of the Act, "two years of full-time work experience" shall be defined as four thousand (4,000) hours of work experience of which at least two thousand (2,000) hours shall consist of direct client contact providing alcohol and drug counseling services to an individual and/or the individual's family;
- (H) Have successfully completed at least two hundred seventy (270) clock hours of education related to alcohol and drug counseling subjects, theory, practice or research;
- (I) Successfully completed, as a part of or in addition to the education requirements established in paragraph three of this subsection, a minimum of forty-five (45) clock hours of specialized training approved by the Board in identifying co-occurring disorders and making appropriate referrals for treatment of co-occurring disorders; and
- (J) Successfully completed at least three hundred (300) hours of supervised practicum experience in the field of drug and alcohol counseling.
- (K) complete all requirements for certification, including passing the examinations, within five (5) years of the date the application was accepted.

(c) Direct Client Contact Hours. Direct client contact hours, as referenced above in (a) and (b), are defined as activities in which a counselor provides services to a client or group of clients. These must be activities within the scope of the alcohol and drug counselor, such as assessment, intervention, screening, counseling, education. This does not include observation of others providing these services. Direct client contact also includes activities in which services are provided to the client's family members/caregiver/guardian, with or without the client physically present, such as family education

and/or family counseling. This includes review of assessment and treatment results with these stakeholders, either individually or during group meetings. Direct client contact also includes communication with the client and/or family members/caregiver/guardian via email or telephone. Activities that DO NOT count as direct contact include speaking or consulting with other professionals regarding the client, without the client and/or family member/caregiver/guardian present; collaborating with other professionals without the client and/or family member/caregiver/guardian present; time spent preparing materials, writing reports, planning for assessment or intervention, and so forth. Administrative duties without the client and/or family member/caregiver/guardian present, while important, are NOT direct contact. Observation of treatment or assessment sessions are NOT considered direct contact, if the counselor is only observing others providing services.

(e)(d) Post-Military Service Applicants. The Board shall consider the equivalent education, training and experience completed by an applicant for certification or licensure while the applicant was a member of the United States Armed Forces or Reserves, National Guard of any state, the Military Reserves of any state, or the Naval militias of any state, and apply it in the manner most favorable toward satisfying the qualifications for certification or licensure. To determine whether education, training and experience completed by an applicant for certification or licensure while the applicant was a member of the military as described in the preceding paragraph, the Board may consider, but is not limited to, determinations made by institutions of higher education based on the Guide to the Evaluation of Educational Experiences in the Armed Services, published by the American Council on Education.

38:10-7-3. Private or independent practice

(a) No person may engage in the private or independent practice of alcohol and drug counseling work unless:

- (1) licensed under the Act as a Licensed Alcohol and Drug Counselor; and,
- (2) has had no less than two (2) years of full-time or the equivalent thereto of part-time experience, a total of 4,000 hours, supervised work experience, in the alcohol and drug counseling field, and shall continue to meet continuing education requirements set by the Board; or,
- (3) is certified under the Act as a certified alcohol and drug counselor; and
- (4) has had no less than three years of full-time or the equivalent thereto of part-time experience, a total of 6,000 hours of supervised work experience in the alcohol and drug counseling field, and shall continue to meet continuing education requirements set by the Board; and,
- (5) is supervised by a licensed alcohol and drug counselor
- (6) This section shall not be construed to prevent an LADC applicant who holds an Oklahoma license in good standing in another behavioral health profession from engaging in independent or private practice under the other license.

(b) It shall be considered unlawful private or independent practice for a candidate for licensure or certification who owns or operates a counseling business to act as the clinical director for the agency, or otherwise have oversight of the clinical services provided by the business.

38:10-7-6. Application

(a) Applicants for licensure or certification shall timely submit a completed application on the form prescribed by the Board, as well as the required fee(s) and documentation. The application includes:

- (1) Application fee;
- (2) Application form completed, signed, dated and notarized;
- (3) A full-face photograph, at least two inch by three inches, taken within the last 12 months, or a photocopy of a current driver's license;
- (4) Official transcript in sealed envelope;
- (5) Signed consent authorizing the Board to conduct a criminal background check and collect any additional information or references necessary;
- (6) Signed code of ethics;
- (7) Personal philosophy;
- (8) Three professional references; and,
- (9) Supervision contract;

(b) An applicant shall:

- (1) Read and be familiar with the rules for the licensed alcohol and drug counselors act;
- (2) Follow all laws and rules, including the ethical standards;
- (3) Notify the Board in writing within 14 (fourteen) days of a change in address or employment;

(c) All application materials become the property of the Board.

(d) An application packet will not be accepted unless it is complete.

(e) The use of false or fraudulent information by an applicant may be grounds for denial of a license.

(f) Incomplete documents will be returned to the sender. The Board will hold the remaining documents, but will not accept the application until all outstanding documents have been completed and approved.

(g) The application fee is not refundable and will not be returned. When resubmitting documents that were returned to the sender as incomplete, a second application fee is not required.

(h) A document may be considered incomplete if it does not conform to the following standards:

- (1) All blanks must be completed and questions answered, the forms signed and dated.
If the documentation relates to past activity, the date of the activity shall also be recorded;
- (2) Documentation shall be permanent and legible (e.g., typed or printed in black ink);
and,
- (3) When it is necessary to correct a document, the error shall be marked through with a single line, dated, and initialed by the writer. Correction fluid shall not be used.

(i) An applicant may not provide counseling services or begin accumulating supervised work experience until the applicant receives written notice from the Board. The notice shall include the date on which the application will become void.

(j) Within 45 days of receipt of the completed application, the Board shall notify the applicant that the application is complete or specify the additional information required.

(k) By signing the application, the applicant accepts responsibility for remaining knowledgeable of licensure rules.

(l) An application for licensure is valid for three years from the date of acceptance, and shall be deemed void upon expiration of the three-year period. Applicants who have not completed the requirements, including passing the exams, within the three year period may petition the Board for an extension of the application. The Board may grant up to a two-year extension upon satisfactory proof from the applicant of good cause for failure to timely complete the requirements. The petition must be filed with the Board at least ninety (90) days prior to the expiration of the application. A person whose application is void is no longer authorized to practice under supervision as a candidate for licensure.

(m) An application for certification is valid for five years from the date of acceptance, and shall be deemed void upon expiration of the five-year period. Applicants who have not completed the requirements, including passing the exams, within the five year period may petition the Board for an extension of the application. The board may grant up to a two-year extension upon satisfactory proof by the application of good cause for the failure to timely complete the requirements. The petition must be filed with the Board at least ninety (90) days prior to the expiration of the application. A person whose application is void is no longer authorized to practice under supervision as a candidate for certification.

(n) Persons whose applications for licensure or certification have become void must submit a new application, including application fee, and shall be subject to the licensure and certification requirements currently in effect. Supervised work experience hours, practicum, and continuing education completed within 2 years prior to the application becoming void, may carry over to a new application. Applicants may be required to retake the oral and written examinations.

(o) The running of the three or five year application period may be suspended for applicants who are members of the military called to active duty before they completed the requirements for licensure. Upon receipt of proof of assignment to active duty, the Board may suspend the application completion time period for the period of active duty. The applicant shall make a written request for suspension on a form prescribed by the Board.

(p) The application of a candidate who has not actively pursued completion of licensure requirements for a period of twelve (12) months shall be deemed void. Circumstances indicating inactivity include, but are not limited to:

(1) the candidate does not have a Board approved supervision contract;

(2) the Board has not received supervision logs or other documents required to be submitted to demonstrate proof of completion of licensure requirements;

(3) communications from the Board to the candidate are returned undelivered;

(4) the candidate fails to respond to communications it receives from the Board; or

(5) the candidate fails to inform the Board of special circumstances which prevent the candidate from engaging in the activities required for certification or licensure.

(q) Persons whose applications are void must submit a new application, pay the application fee, and shall be subject to the licensure and certification requirements currently in effect. The following requirements may carry over to the new application:

(1) supervised work experience hours and continuing education hours completed within 2

years prior to the application void date;

(2) practicum. This rule shall apply to all applications on file with the Board as of the effective date of the rule.

38:10-7-7. Examinations

(a) **Eligibility.** An LADC or CADC applicant is eligible to take the licensing or certification examination upon completion of the supervised work experience requirement.

(b) **Examination.** Each applicant shall take and pass both the written and oral portions of the examination.

(c) **Application.**

(1) The Board shall mail notification of eligibility to sit for examination to the applicant's last known address on file with the Board.

(2) An applicant who wishes to take a scheduled examination shall complete an examination registration form, and pay the required fee before the applicant will be scheduled to test.

(d) **Notice of results.**

(1) The Board shall notify the applicant of the examination results within sixty (60) days of the date of the examination.

(2) Examination results shall be in writing and shall specify "pass" or "fail."

(e) **Failure to pass.** In the event of failure to pass either portion of the examination, the applicant may retake the failed examination upon registration with the exam provider and payment of a new examination fee. The written examination may be retaken at the intervals allowed by the examination provider. The oral examination may be retaken at the next available testing date.

(f) Multiple exam failures. Before an applicant who failed either the written exam five times or the oral exam five times may retake the exam, the Board may require the applicant to demonstrate successful completion of additional training and clinical competency. Failure to demonstrate successful completion of additional training and clinical competency may result in denial of the application.

SUBCHAPTER 11. FEES

38:10-11-1. Schedule of fees

Fees are non-refundable and include:

(1) Application fee. One-hundred and ~~forty dollars (\$140.00)~~ seventy-five (\$175.00) dollars and shall be submitted with the application form.

(2) Examination fee. The fee shall be the amount set by the examination provider, and is paid by the applicant directly to the examination provider.

(3) Initial license or certification fee. One-hundred and twenty-five (\$125.00) dollars shall be submitted prior to the receipt of license or certificate. The initial license or certification notices shall invoice the licensed or certified person for the interim period between the original license or certification date and the following June 30 so that subsequent renewals shall be on a July 1 annual basis.

(4) Renewal fee. One-hundred ~~dollars~~ and twenty-five dollars (\$100.00 \$125.00). Shall be submitted upon notification by the Board on or before June 30, and validates the license or certification for twelve (12) months.

(5) Late renewal fee. Twenty-five dollars (\$25.00) will be charged each month, if the license or certification is not renewed by June 30. This fee combined with the renewal fee shall not exceed

\$200.00. The licensed or certified person must submit this fee as well as the renewal fee on or before the following June 30 to avoid revocation.

(6) Replacement fee. Twenty-five dollars (\$25.00). Shall be submitted for the issuance of a license or certification to replace a license which has been lost, damaged, or is in need of revision.

(7) Inactive license or certification fee. Twenty-five dollars (\$25.00). Payment of this fee renders the license or certification inactive and suspends all rights and privileges granted by the license or certification for a period of no more than two (2) years. If not renewed within the two (2) year period, license or certification is considered lapsed.

(8) Mailing list of licensed and certified counselors. Thirty-five dollars (\$35.00).

(9) Written verification of licensure or certification. Five dollars (\$5.00).

(10) Duplication of public records. Twenty-five cents (\$.25) per page for un-certified copies; one dollar per page (\$1) for certified copies.

(11) Search fee for public records. \$25 per hour.

(12) Investigation or prosecution. At cost incurred.

(13) Returned check processing fee, or denied or non-payment of credit card fees. Fifty Dollars (\$50.00).

(14) Probation. Twenty-five dollars (\$25.00) per month.

(15) Board approved supervisor status designation. Thirty-five Dollars (\$35.00) for initial application fee.

(16) Supervisor status designation annual renewal fee. Twenty-five Dollars (\$25.00).

(17) Co-occurring disorders Certification application fee. One Hundred Forty Dollars (\$140.00)

(18) Co-occurring disorders Certification renewal fee. Fifty Dollars (\$50.00).

(19) Application maintenance fee. A candidate for certification or licensure shall pay an annual application maintenance fee of twenty-five dollars (\$25.00). The purpose of the fee is to defray the cost of monitoring the application for compliance with the supervision requirements. The fee shall be due and payable on or before December 31 of each year until the license is issued. The fee shall not be imposed until the following year for applications accepted by the Board from December 1 to December 31. An additional twenty-five dollar (\$25.00) late fee will be charged for each month the maintenance fee is past due for up to three months. If the maintenance fee and late fees are not paid in full on or before April 1, the application shall be void. Persons whose applications are void must submit a new application, pay the application fee, and shall be subject to the licensure and certification requirements currently in effect. The following requirements may carry over to the new application: (1) supervised work experience hours and continuing education hours completed within 2 years prior to the application void date; (2) practicum. This fee shall apply to all applications on file with the Board as of the effective date of the rule.

(20) Continuing education provider application fee - \$200

(21) Licensee application fee for approval of continuing education program - \$25

SUBCHAPTER 13. CONTINUING EDUCATION REQUIREMENTS.

38:10-13-2. Continuing education standards

(a) Continuing education hours required. As a requirement for license or certification renewal, twenty (20) clock hours of continuing education units shall be required for each license or certification held.

These hours must have been obtained during the previous renewal period (July through June) and approved by the Board. At least three (3) hours must be categorized as ethics training as defined by the Board. At least ten (10) hours must be alcohol and drug specific as defined by the Board and only half or 10 hours can be done through online sources. For LADC/MH, the twenty (20) hours of continuing education hours must be on topics categorized by the Board as Co-Occurring, or consist of (10) hours on Mental Health topics and ten (10) hours on alcohol and drug specific topics as defined by the Board.

(b) Continuing education approval. Approval of continuing education shall be at the discretion of the Oklahoma Board of Licensed Alcohol and Drug Counselors and shall be in accordance with standards acceptable to the profession of alcohol and drug counseling. Requirements for the providers of continuing education are addressed in OAC 38:10-13-7.

(c) Armed services. A licensed or certified person called to active duty in the armed forces of the United States for a period of time exceeding one hundred and twenty (120) days during a calendar year shall be exempt from obtaining the continuing education required during that calendar year.

(d) Exemption. A licensed or certified person experiencing physical disability, illness or other extenuating circumstances may request partial or complete exemption from the continuing education requirements. The licensee or certified person shall provide supporting documentation for the Board's review. Such hardship cases will be considered by the Board on an individual basis.

(e) Prorating. Licensees or certified persons upon initial certification will have their CEU hours prorated according to the date of their initial certification.

38:10-13-7. Providers of Continuing Education

In order to qualify and be approved for Approved Continuing Education Provider status by the Board, or to offer single programs for OBLADC continuing education credit, the Provider must satisfy the following requirements.

(1) Continuing education status shall be approved prior to presenting continuing education programs. When a provider number is necessary, any continuing education event(s) sponsored or provided prior to the date a provider number is issued under this rule shall not be granted continuing education credit.

(2) Continuing education provider status shall be granted to continuing education providers who satisfy the following requirements:

(A) Provide the Board with one sample continuing education program containing a detailed agenda specifying content and time frames for instruction which has been designed or approved by the current continuing education director and meets all of the following criteria:

(i) Is a course, seminar, workshop, or institute that is relevant to, and focuses on the practice of alcohol and drug counseling or other clinical, administration, or generalist practice in the behavioral health field.

(ii) Has stated learning objectives and is of sufficient duration to present a topic in depth and detail to accomplish these objectives.

(iii) Is appropriate for the purposes of furthering and maintaining the skills or knowledge of alcohol and drug counselors.

(iv) The sample program must identify the number of continuing education hours that will be earned. One continuing education hour is defined as one clock hour (60 minutes) of actual uninterrupted instruction.

(v) Is instructed/presented by a person who meets at least one of the following criteria:

(I) LADC/CADC or other person licensed or certified by other counselor professions.

(II) Licensed or certified member of a non-counseling field if the content of the program is counselor related and falls within the presenter's area of training.

(B) Provide the Board a sample program evaluation form.

(C) Provide the Board a sample of the documentation of completion.

(D) Provide the Board with the name, address and daytime telephone number of a person designated by the organization to act as the continuing education director.

(E) Remit the appropriate non-refundable continuing education provider application fee of \$200. Such fee shall be required for each license period during which the provider seeks Board approval.

(F) The current continuing education director must sign and abide by a written agreement to the following:

(i) Ensure that each program to be presented or approved by the provider for continuing education credit for CADC/LADC satisfies the requirements of the Continuing Education rules of the Board.

(ii) Provide each participant who completes a program with documentation verifying that the program has been completed. The documentation shall contain the participant's name, provider's name and number, title of program, date and place of the program, number of hours of continuing education credits earned, and the signature of the sponsor or its representative.

(iii) Provide a mechanism for evaluation of the program by participants.

(iv) Notify the Board within ten days of any change in continuing education director, mailing address, or telephone number.

(v) Ensure that all promotional material for each program intended for CADC/LADCs contains in a conspicuous place the complete provider number assigned by the Board, the specific program objectives, and speaker/presenter's credentials.

(vi) The Board requests that the following statement be placed on the "Certificate of Attendance" to show Board approval. Example: "OBLADC Provider Number ____." The provider will be issued a number when provider status is approved and that number is to be placed in the blank space.

(G) Comply with all audit requests within 21 days of receipt of such requests from the Board.

(3) Providers shall maintain records of each course offered for three (3) years following each licensure period during which the course was offered. Course records shall include a course outline that reflects its educational objectives, the presenter's name, the presenter's curriculum vitae, the date and location of the course, participant's evaluations of the course, the hours of continuing education credit awarded to each participant and a roster of participants by name and license number.

(4) An approved sponsor may subcontract with individuals to provide continuing education programs. The sponsor must insure that the subcontractor meets all requirements of this section.

(5) The sponsor shall be responsible for assuring that no licensee receives continuing education credit for time not actually spent attending the program.

(6) Upon the failure of a sponsor to comply with any of the requirements of this section, the Board, after notice to the sponsor, may revoke the sponsor's approval status.

(7) The Board may evaluate any approved sponsor or applicant at any time to ensure compliance with requirements of this section.

(8) The Board may deny continuing education provider status to any applicant who submits false, misleading or deceptive information or documentation to the Board.

(9) The Board may rescind the provider status or reject individual programs given by a provider if the provider disseminated any false or misleading information in connection with the continuing education programs or of the provider failed to conform to and abide by the written agreement and rules of the Board.

(10) Complaints regarding continuing education programs offered by approved providers may be submitted in writing to the Board office.

(11) Reapproval of Continuing Education Providers

(A) Approval of continuing education providership is for the fiscal year during which approval or reapproval was given. If reapproval is not sought and granted, the continuing education approved provider status automatically ends.

(B) It is the responsibility of the continuing education provider to request annual reapproval of the provider status by submitting a new application on the application form provided by the Board.

(12) Activities Unacceptable as Continuing Education

(A) The Board will not give credit hours for:

(i) Education incidental to the regular professional activities of an alcohol and drug counselor, such as learning occurring from experience or research.

(ii) Organizational activity such as serving on committees or councils or as an officer in a professional organization.

(iii) Non-counseling content courses not directly related to enhancement of alcohol or drug counselor skills or performance as an alcohol or drug counselor.

(iv) Staff orientation, administrative staff meetings, case management meetings and training specifically related to policies and procedures of an agency may not be counted.

(v) Book reports or critiques of professional journal articles.

(13) Counselor's Responsibility Regarding Continuing Education

(A) It is the counselor's responsibility to determine if a workshop is applicable and appropriate to his/her professional development as an alcohol and drug counselor.

(B) If a counselor submits documentation for training that is not clearly identifiable as alcohol and drug counselor continuing or behavioral health education, the Board will request a written description of the training and how it applies to the individual's professional development as an alcohol and drug counselor. If the Board determines that the training cannot be considered alcohol and drug counselor or behavioral health continuing education, the individual will be given sixty (60) days to replace the hours not allowed. Those hours will be considered replacement hours and cannot be counted during the next licensure period.

(C) Continuing education hours that are clearly not alcohol and drug counseling or behavioral health related will be unacceptable and the individual will not be given time to replace those hours.

(14) Counselor Submission of Continuing Education Requests

(A) If an alcohol and drug counselor attends or plans to attend a course that is not provided by an Approved Continuing Education Provider, the individual may submit a single request for approval of the continuing education program.

(B) To qualify for approval, the individual will be required to submit:

(i) A complete application for continuing education form on the application form provided by the Board.

(ii) Biographical information and qualifications on the presenter(s).

(iii) Program schedules.

(iv) Descriptions and objectives of each of the workshops.

(v) A \$25 non-refundable individual continuing education application fee.

(C) If the application meets the Board requirements for approval, the approval status shall apply only to the individual applicant. Each applicant requesting approval for a course that is not provided by an Approved Continuing Education Provider, must submit a separate application form, related documents, and fee.

(D) Submission of an application for continuing education program approval and related documents is not a guarantee of approval.