

BOARDS AND COMMISSIONS
Board of Alcohol and Drug Counselors
(Amendment)

201 KAR 35:050. Curriculum of study.

RELATES TO: KRS 309.083(4), (8), 309.0841, 309.0842

STATUTORY AUTHORITY: KRS 309.0813(1), (5), (6), 309.083(4), 309.0831(4), 309.0832(3), 309.0833(1)

NECESSITY, FUNCTION, AND CONFORMITY: KRS 309.083(4), 309.0831(4), 309.0832(3), [~~and~~] 309.0833(1), 309.0841, 309.0842 require the Board of Alcohol and Drug Counselors to promulgate administrative regulations establishing curriculum requirements for applicants for a credential. This administrative regulation identifies the areas of study that will satisfy the requirement.

Section 1. (1) Registration. An applicant seeking registration as an alcohol and drug peer support specialist shall:

(a) Complete forty (40)~~[sixty (60)]~~ classroom hours, which shall include:

1. Sixteen (16) hours of interactive training in ethics of which eight (8) hours shall consist of face-to-face training;
2. Three (3) hours of domestic violence training;
3. Two (2) hours of training in the transmission, control, treatment, and prevention of the human immunodeficiency virus;
4. Ten (10) hours of advocacy training;
5. Ten (10) hours of training in mentoring and education; and
6. Ten (10) hours of training in recovery support; and

(b) File with the board KBADC Form 5, Peer Support Specialist Alcohol/Drug Training Verification Form.

(2) Certification as a certified alcohol and drug counselor associate I.

(a) An applicant seeking certification as a certified alcohol and drug counselor associate I shall comply with the board-approved curriculum in KRS 309.0841; and

(b) File with the board KBADC Form 20, Certified Alcohol and Drug Counselor Associate I, Verification of Board-Approved Training.

(3) Certification as a certified alcohol and drug counselor associate II.

(a) An applicant seeking certification as a certified alcohol and drug counselor associate II shall comply with the board-approved curriculum requirements KRS 309.0842; and

(b) File with the board a KBADC Form 22, Certified Alcohol and Drug Counselor Associate II Verification of Classroom Training.

(4) Certification as an alcohol and drug counselor.

(a) An applicant seeking certification as an alcohol and drug counselor shall:

1. Complete 300~~[270]~~ classroom hours that are specifically related to the knowledge and skills necessary to perform the following alcohol and drug counselor competencies and shall include the following domains:

- a. Screening assessment and engagement~~[Understanding addiction];~~
- b. Treatment planning, collaboration, and referral~~[Treatment knowledge];~~
- c. Counseling~~[Application to practice];~~ and
- d. Professional and ethical responsibilities~~[Professional readiness];~~
- e. ~~Clinical evaluation;~~
- f. ~~Treatment planning;~~

- ~~g. Referral;~~
- ~~h. Service coordination;~~
- ~~i. Counseling;~~
- ~~j. Client, family, and community education;~~
- ~~k. Documentation; and~~
- ~~l. Professional and ethical responsibilities]; and~~

2. File with the board KBADC Form 10, Certified Alcohol and Drug Counselor^[7] Verification of Classroom Training.

(b) A minimum of six (6) hours of the total 300~~[270]~~ hours shall be interactive, face-to-face ethics training relating to counseling.

(c) Two (2) hours of the total 300~~[270]~~ hours shall be specific to transmission, control, and treatment of the human immunodeficiency virus and other sexually transmitted diseases.

(d) Three (3) hours of the total 300~~[270]~~ hours shall be specific to domestic violence.

(5)~~(3)~~ Licensure.

(a) An applicant seeking licensure as a licensed clinical alcohol and drug counselor or associate shall:

1. Complete 180 classroom hours of curriculum that are specifically related to the knowledge and skills necessary to perform the following alcohol and drug counselor competencies and shall include the following domains:

- a. Screening assessment and engagement~~[Understanding addiction];~~
- b. Treatment planning, collaboration, and referral~~[Treatment knowledge];~~
- c. Counseling~~[Application to practice]; and~~
- d. Professional and ethical responsibilities~~[Professional readiness;~~
- ~~e. Clinical evaluation;~~
- ~~f. Treatment planning;~~
- ~~g. Referral;~~
- ~~h. Service coordination;~~
- ~~i. Counseling;~~
- ~~j. Client, family, and community education;~~
- ~~k. Documentation; and~~
- ~~l. Professional and ethical responsibilities]; and~~

2. File with the board KBADC Form 11, Verification of Classroom Training.

(b) A minimum of six (6) hours of the total 180 hours shall be interactive, face-to-face ethics training relating to counseling.

(c) Two (2) hours of the total 180 hours shall be specific to transmission, control, and treatment of the human immunodeficiency virus and other sexually transmitted diseases.

(d) Three (3) hours of the total 180 hours shall be specific to domestic violence.

Section 2. (1) Attendance at conferences, workshops, seminars, or in-service training related to addictions shall be acceptable to meet the requirements of Section 1 of this administrative regulation if the board determines that the activity:

- (a) Is an organized program of learning;
- (b) Covers an area listed in Section 1 of this administrative regulation; and
- (c) Is conducted by a competent instructor, as documented by appropriate academic training, professional licensure or certification, or professionally recognized experience.

(2) One (1) semester hour of study from an accredited college or university credit shall equal fifteen (15) classroom hours.

(3) Publication on a subject relevant to addictions therapy may be submitted to the board. Credit shall be granted as established in this subsection.

- (a) A chapter in a book shall be equivalent to ten (10) classroom hours.
- (b) 1. Authoring or editing a book relevant to addictions therapy shall be given credit equivalent to thirty (30) classroom hours.
2. An applicant shall submit a copy of the title page, table of contents, and bibliography.
- (c) 1. Publication in a professional refereed journal shall be equivalent to fifteen (15) classroom hours.
2. An applicant shall submit the journal table of contents and a copy of the article as it appeared in the journal including bibliography.

Section 3. (1) A list of courses the applicant wishes to have considered shall be organized by domains~~[core area]~~ as established in Section 1 of this administrative regulation and shall include documentation to verify that the course satisfies the requirements of that section.

- (2) Appropriate documentation of the course shall include:
 - (a) Date;
 - (b) Title;
 - (c) Description;
 - (d) Sponsoring organization;
 - (e) Presenter and presenter's credentials;
 - (f) Number of contact hours attended; and
 - (g) Certificates of attendance or transcript.

Section 4. Incorporation by Reference. (1) The following material is incorporated by reference:

- (a) "KBADC Form 5, Peer Support Specialist Alcohol/Drug Training Verification Form", March 2021~~[March 2017]~~;
- (b) "KBADC Form 10, Certified Alcohol and Drug Counselor Verification of Classroom Training", March 2021~~[June 2015]~~; and
- (c) "KBADC Form 11, Verification of Classroom Training", March 2021~~[June 2015]~~.
- (d) "KBADC Form 20, Certified Alcohol and Drug Counselor Associate I, Verification of Board-Approved Training", March 2021;
- (e) "KBADC Form 21, Certified Alcohol and Drug Counselor Associate I, Verification of Board-Approved Training for First Twelve (12) Months After Initial Certification as Associate I"; March 2021;
- (f) "KBADC Form 22, Certified Alcohol and Drug Counselor Associate II Verification of Board-Approved Curriculum", March 2021.

(2) This material may be inspected, copied, or obtained, subject to applicable copyright law, at the Kentucky Board of Alcohol and Drug Counselors, 500 Mero St, 2 SC 32~~[911 Leawood Drive]~~, Frankfort, Kentucky, Monday through Friday, 8 a.m. to 4:30 p.m. The board's Web site address is: <https://adc.ky.gov>.

TIM CESARIO, Chair

APPROVED BY AGENCY: February 25, 2021

FILED WITH LRC: March 5, 2021 at 4:27 p.m.

PUBLIC HEARING AND PUBLIC COMMENT PERIOD: A public hearing on this administrative regulation shall be held at 9:00 AM on May 24, 2021 at 500 Mero Street, 127CW, Frankfort, Kentucky 40601. In the event the building is not open to the public on May 24, 2021, including if the declared State of Emergency in Executive Order 2020-215 and the State of Emergency Relating to Social Distancing in Executive Order 2020-243 are not rescinded by May 24, 2021, this hearing will be held by video teleconference, in which event members of the

public wishing to attend may utilize the following link: <https://us02web.zoom.us/j/88015845024?pwd=WnhsNmR3SGJwRXM0YktrM1psbkVxZz09>, Password: 203666, Or Telephone: Dial: USA 713 353 0212, USA 8888227517 (US Toll Free), Conference code: 995892. Individuals interested in being heard at this hearing shall notify this agency in writing by five workdays prior to the hearing, of their intent to attend. If no notification of intent to attend the hearing is received by that date, the hearing may be canceled. This hearing is open to the public. Any person who wishes to be heard will be given an opportunity to comment on the proposed administrative regulation. A transcript of the public hearing will not be made unless a written request for a transcript is made. If you do not wish to be heard at the public hearing, you may submit written comments on the proposed administrative regulation. Written comments shall be accepted through 11:59 PM on May 31, 2021. Send written notification of intent to be heard at the public hearing or written comments on the proposed administrative regulation to the contact person below.

CONTACT PERSON: Kevin R. Winstead, Commissioner, Department of Professional Licensing, 500 Mero Street, 237CW, Frankfort, Kentucky 40601, phone (502) 782-0562, fax (502) 564-4818, email KevinR.Winstead@ky.gov.

REGULATORY IMPACT ANALYSIS AND TIERING STATEMENT

Contact Person: Kevin R. Winstead

(1) Provide a brief summary of:

(a) What this administrative regulation does: This administrative regulation establishes the required education for a credential holder.

(b) The necessity of this administrative regulation: The administrative regulation is necessary under: (1) KRS 309.083(4) (effective March 1, 2021), which requires applicants for certification as an alcohol and drug counselor to meet all education requirements of the International Certification and Reciprocity Consortium for the Alcohol and Drug Counselors (ADC); (2) KRS 309.0831(4) (effective March 1, 2021), which requires an applicant for registration as an alcohol and drug peer support specialist to have completed at least forty (40) classroom hours of board-approved curriculum; (3) KRS 309.0832(3) (effective March 1, 2021), which requires an applicant for licensure as a licensed alcohol and drug counselor to meet all education requirements of the International Certification and Reciprocity Consortium for the Advanced Alcohol and Drug Counselor (AADC); (4) KRS 309.0833(1)(b) (effective March 1, 2021), which requires an applicant for licensure as a licensed alcohol and drug counselor associate to meet all education requirements of the International Certification and Reciprocity Consortium for the Advanced Alcohol and Drug Counselor (AADC); (5) KRS 309.0841(1)(c), which requires an applicant for certification as a certified alcohol and drug counselor associate I to have completed forty (40) classroom hours of board-approved curriculum; and (6) KRS 309.0842(3), which requires an applicant for certification as a certified alcohol and drug counselor associate II to have seventy (70) hours of approved classroom hours of board-approved curriculum.

(c) How this administrative regulation conforms to the content of the authorizing statutes: The regulation is in conformity as the authorizing statute gives the board the ability to promulgate regulations regarding the requirements for education for a credential holder.

(d) How this administrative regulation currently assists or will assist in the effective administration of the statutes: This regulation will assist in establishing the educational requirements of a credential holder.

(2) If this is an amendment to an existing administrative regulation, provide a brief summary of:

(a) How the amendment will change this existing administrative regulation: The amendment will change the existing administrative regulation in eight (8) ways: (1) reducing the number of hours from sixty (60) to forty (40) for an applicant seeking registration as an alcohol and drug peer support specialist; (2) requiring applicants for certification as a certified alcohol and drug counselor associate I to comply with the board-approved curriculum requirements of KRS 309.0841; (3) requiring applicants for certification as a certified alcohol and drug counselor associate I to file a Form 19 to verify training; (4) requiring applicants for certification as a certified alcohol and drug counselor associate II to comply with the board-approved curriculum requirements of KRS 309.0842; (5) increasing the number of classroom hours for a certified alcohol and drug counselor from 270 to 300 to conform with the requirements of the International Certification and Reciprocity Consortium; (6) changing the twelve (12) core functions to four (4) domains for certified alcohol and drug counselor, licensed clinical alcohol and drug counselors and associates; (7) adding new forms to the materials incorporated by reference; and (8) adding the board's Web site address.

(b) The necessity of the amendment to this administrative regulation: The amendments are necessary to establish a required education for a credential holder with a registration or license issued by the board.

(c) How the amendment conforms to the content of the authorizing statutes: The regulation is in conformity as the authorizing statute gives the board the ability to promulgate regulations regarding the requirements for education for a credential holder.

(d) How the amendment will assist in the effective administration of the statutes: The amendment will assist in establishing an education requirement for all credential holders.

(3) List the type and number of individuals, businesses, organizations, or state and local governments affected by this administrative regulation: The board is unable to determine the exact number of persons who would be impacted by this regulation since the applications vary from month to month. Future applicants and persons credentialed by the board will be affected by this administrative regulation. As of February 1, 2021 there were 513 licensed clinical alcohol and drug counselors, 21 licensed clinical alcohol and drug counselor associates, 458 certified alcohol and drug counselors, 930 temporary certified alcohol and drug counselors, 95 temporary registered alcohol and drug peer support specialists, and 15 registered alcohol and drug peer support specialists.

(4) Provide an analysis of how the entities identified in the previous question will be impacted by either the implementation of this administrative regulation, if new, or by the change, if it is an amendment, including:

(a) List the actions each of the regulated entities have to take to comply with this regulation or amendment: A credential holder will be required to comply with the education requirement.

(b) In complying with this administrative regulation or amendment, how much will it cost each of the entities: There are no new cost associated to the amendment related to the amendment of this administrative regulation.

(c) As a result of compliance, what benefits will accrue to the entities: The credential holders will know the education requirements expected of them by the board.

(5) Provide an estimate of how much it will cost the administrative body to implement this administrative regulation:

(a) Initially: Initially, there is no additional cost to the administrative body to implement this administrative regulation.

(b) On a continuing basis: On a continuing basis, there is no additional cost to the administrative body to implement this administrative regulation.

(6) What is the source of the funding to be used for the implementation and enforcement of this administrative regulation: The board's operations are funded by fees paid by credential holders and applicants.

(7) Provide an assessment of whether an increase in fees or funding will be necessary to implement this administrative regulation, if new, or by the change if it is an amendment: There are no increases in fees or funding is required to implement this administrative regulation.

(8) State whether or not this administrative regulation established any fees or directly or indirectly increased any fees: There are no new fees or fee increases associated with the amendments.

(9) TIERING: Is tiering applied? Tiering was not applied as the regulation is applicable to all credential holders. This regulation does not distinguish between similarly situated individuals on the basis of any factor.

FISCAL NOTE ON STATE OR LOCAL GOVERNMENT

(1) What units, parts or divisions of state or local government (including cities, counties, fire departments, or school districts) will be impacted by this administrative regulation? The Kentucky Board of Alcohol and Drug Counselors.

(2) Identify each state or federal statute or federal regulation that requires or authorizes the action taken by the administrative regulation. KRS 309.0813(1), (5), and (6), 309.083, 309.0831, 309.0832, 309.0833, 309.0841, 309.0842.

(3) Estimate the effect of this administrative regulation on the expenditures and revenues of a state or local government agency (including cities, counties, fire departments, or school districts) for the first full year the administrative regulation is to be in effect. If specific dollar estimates cannot be determined, provide a brief narrative to explain the fiscal impact of the administrative regulation.

(a) How much revenue will this administrative regulation generate for the state or local government (including cities, counties, fire departments, or school districts) for the first year? This regulation will not generate revenue for state or local government.

(b) How much revenue will this administrative regulation generate for the state or local government (including cities, counties, fire departments, or school districts) for subsequent years? This regulation will not generate revenue for state or local government.

(c) How much will it cost to administer this program for the first year? There will be no additional cost to administer this program.

(d) How much will it cost to administer this program for subsequent years? There will be no additional cost to administer this program.

Note: If specific dollar estimates cannot be determined, provide a brief narrative to explain the fiscal impact of the administrative regulation.

Revenues (+/-): Neutral

Expenditures (+/-): Neutral

Other Explanation: None