



# HOUSE BILL 615: Amend Substance Abuse Professional Pract. Act.

2017-2018 General Assembly

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<b>Committee:</b>	House Health	<b>Date:</b>	April 26, 2017
<b>Introduced by:</b>	Reps. Malone, S. Martin	<b>Prepared by:</b>	Jason Moran-Bates
<b>Analysis of:</b>	PCS to Second Edition H615-CSBC-18		Committee Co-Counsel

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**OVERVIEW:** *House Bill 615 would remove the certified substance abuse residential facility director credential from the North Carolina Substance Abuse Professionals Practice Act (Act). It would clarify the definition of "independent study" and add a new definition for "traditional classroom-based study." It would make changes in the composition of the North Carolina Substance Abuse Professional Practice Board (Board) and increase the number of education hours required for certain credentials. Finally, it would create a program to provide screening, referral, monitoring, education, and support services for substance abuse professionals suffering from impairment due to illness and substance abuse, or those who have engaged in professional sexual misconduct.*

**CURRENT LAW:** Under current law, the Board can issue credentials to certified substance abuse residential facility directors, and 270 educational hours are required for certification as a substance abuse counselor, substance abuse prevention consultant, and criminal justice addiction professional. The Board is comprised of 11 professionals credentialed under the North Carolina Substance Abuse Professionals Act, three laypersons elected by the Board, two individuals from DHHS, and three members of the public, appointed by the governor, Speaker of the House, and President Pro Tempore of the Senate, respectively.

## **BILL ANALYSIS:**

**Section 1.(a)-(d)** of House Bill 615 would repeal the credential for certified substance abuse residential facility directors and make conforming changes throughout the Act.

**Section 2** would clarify that independent study is undertaken with little or no supervision and that it does not include study that must be approved by the Board or instruction that involves transfer of knowledge or skills from teacher to student. It also would define "traditional classroom-based study" as an educational method that involves shared communication.

**Section 3.(a)** would modify the membership of the Board. It would eliminate the three laypersons elected by the Board and the members of the public at large nominated by the Speaker of the House and President Pro Tempore of the Senate, respectively. It would replace these members by increasing the number of members of the public at large appointed by the governor from one to two, and by adding four professionals credentialed by the Act to be appointed by the General Assembly. Two of those members would be recommended by the Speaker of the House and two by the President Pro Tempore of the Senate.

**Section 3.(b)** would make the current terms of the laypersons on the Board expire on December 31, 2017, and the terms of the members appointed by the General Assembly under this bill commence on January 1, 2018.

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# House PCS 615

*Page 2*

**Sections 4 and 5** would increase the number of education hours required for credentialing as a Substance Abuse Counsellor, Substance Abuse Prevention Consultant, or Criminal Justice Addictions Professional from 270 to 300.

**Section 6** would create the North Carolina Impaired Professionals Program (Program) to provide screening, referral, monitoring, education, and support services for substance abuse professionals suffering from impairment due to illness and substance abuse, or those who have engaged in professional sexual misconduct. The Program would enter into agreements with professionals credentialed under the Substance Abuse professional Practice Act to identify their ability to function in their professional capacity and coordinate regimens for treatment credentialed professionals. The Program would report to the Board about any professionals who 1) constitute an imminent danger to patient care, 2) refuse to submit to an assessment ordered by the Program, 3) fail to comply with a monitoring contract with the Program, or 4) are still unable to meet their professional obligations after completing Program services.. Information collected by the Program could not be disclosed in any civil action, and participation in the Program by credentialed professionals could not be a basis for bringing a civil action. Any written assessment made by the Program must be provided to a credentialed professional on request, and the Board would be required to adopt rules to apply to the operation of the Program.

**EFFECTIVE DATE:** The provisions repealing the certified substance abuse residential facility director credential would be effective when the bill becomes law, and the conforming changes would be effective when the last credential issued by the Board expires. The remainder of the bill would be effective October 1, 2017.