

# Tennessee Board of Alcohol and Drug Abuse Counselors



## Newsletter



2015

A Regulatory Agency of the State of Tennessee

Fall

In conjunction with the purpose and goals of the Department of Health the Mission of the Bureau of Health Licensure and Regulation is to: Monitor, access and enforce the health care laws and regulations. Protect, promote and enhance quality health care for all citizens; Continuously strive to meet the needs of our customers in a respectful and caring manner; Provide quality work-life necessary to attract and retain competent, caring employees; Empower out employees to become entrepreneurs in their jobs; Increase awareness and public confidence in our services; and utilize our resources efficiently and cost effectively.

665 Mainstream Drive, Nashville, TN 37243 • <http://tn.gov/health> (615) 741-5735 or 1-800-778-4123  
Office Hours: Monday – Friday 8:00 a.m. to 4:30 p.m. Central Time (except State and Federal holidays) Fax: (615) 532-5369

### 2016 Board Meeting Dates

January 8, 2016  
9:00 a.m. CT, Poplar Room

April 15, 2016  
9:00 a.m. CT, Poplar Room

July 18, 2016  
9:00 a.m. CT, Poplar Room

October 7, 2016  
9:00 a.m. CT, Poplar room



All board meetings will be held at 665 Mainstream Drive, Nashville TN, unless otherwise noted.

### Live Streaming Video

If you would like to see your board “in action” but can’t attend a meeting in person, you can now watch the board meeting on your computer through live streaming video. The link is: <https://web.nowuseeit.tn.gov/Mediasite/Catalog/Full/98fe21d561e9489487745f0c7da678b221>. After you access the page, go to the board meeting you wish to view and click on that particular link.

### Legislative Updates

#### Board of Alcohol and Drug Abuse Counselors Legislative Update - 2015

##### [Public Chapter 6](#)

This act extends the board of alcohol and drug abuse counselors through June 30, 2019. It also clarifies that nominations from professional groups for appointment to the board are permissible.

##### [Public Chapter 154](#)

This act allows the Commissioner of Health or his designee to have electronic access to medical records in order to facilitate investigations when responding to an immediate threat to public health. Today the Commissioner of Health or his designee already has this authority but must go to the facility to review the medical records. This act took effect on April 16, 2015.

##### [Public Chapter 94](#)

This act defines “abuse” and “neglect” for purposes of placing a person on the registry of persons who have abused, neglected, or misappropriated the property of vulnerable individuals specifically within the statutes that govern the Dept. of Health. It does not impact the definitions within the statutes that govern the Dept. of Intellectual and Developmental Disabilities nor the Dept. of Human Services. It also increases the time within which placement on the registry may be appealed from 30 to 60 days. For rulemaking

purposes, this bill became effective on April 10, 2015. All other provisions become effective on July 1, 2015.

### [Public Chapter 502](#)

This act allows the Joint Government Operations Committee (the legislative committee that reviews all rules) to stay a rule up to 75 days instead of 60 days. Present law authorizes the Joint Government Operations Committee to consider the following factors when reviewing rules: authority, clarity, consistency, justification, necessity and reference. This act adds arbitrariness and capriciousness as two new considerations.

### [Public Chapter 268](#)

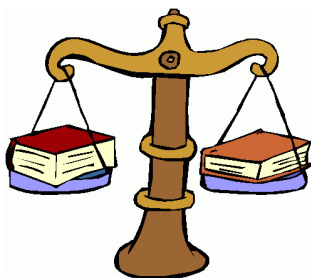
This act makes disclosures of protected healthcare information permissible in medical malpractice lawsuits and became effective on April 24, 2015.

### [Public Chapter 261](#)

The act provides for the practice of telehealth. It outlines the following:

- Defines a healthcare provider
- Establishes a provider-patient relationship by mutual consent and mutual communication
- Specifies that telehealth does not create a new standard care
- Prohibits any board from creating a more restrictive standard of professional practice for telehealth service
- Allows a physician to prescribe by means of telemedicine and follow all prescribing applicable statutes such as checking the Controlled Substance Monitoring Database; however, pain management clinics are not permitted
- There is no separate telehealth license required by the Board of Medical Examiners

## **RULE AMENDMENTS**



### **Alcohol and Drug Abuse Counselors New Rule Changes Implementing Tiered Levels of Licensure**

### **1200-30-01-.02 Scope of Practice.**

- (1) A Level I Licensed Alcohol and Drug Abuse Counselor may provide alcohol and drug abuse counseling services in an alcohol and drug abuse treatment program or a recovery support program, or any program providing alcohol and drug abuse services other than a private practice in which the Level I Licensed Alcohol and Drug Abuse Counselor is self-employed. Such services shall include the eight (8) domains listed in T.C.A. § 68-24-606.
- (2) A Level II Licensed Alcohol and Drug Abuse Counselor may provide alcohol and drug abuse counseling services in an alcohol and drug abuse treatment program or a recovery support program, or any program providing alcohol and drug abuse services or in private practice. Such services shall include the eight (8) domains listed in T.C.A § 68-24-606. A Level II Licensed Alcohol and Drug Abuse Counselor may apply to the Board to become a Qualified Clinical Supervisor after meeting the Board's requirements for such credential.
- (3) Counseling for alcohol and other drugs of abuse includes: the evaluation and treatment of problems, misperceptions and misconceptions of persons who abuse mood-altering chemicals. Counseling for alcohol and other drugs of abuse includes the provision of the eight (8) domains listed in T.C.A. § 68-24- 606.
- (4) Both Level I and Level II Licensed Alcohol and Drug Abuse Counselors may evaluate and treat persons who have been significantly affected by compulsive gambling disorder as long as the licensee has completed no less than sixty (60) additional hours of specialized Board-approved education related to compulsive gambling disorder, annual continuing education hours or a combination thereof. The licensee's clinically supervised counseling experience must have included contact with no less than ten (10) patients impacted by a compulsive gambling disorder under the supervision of a supervisor who had obtained no less than sixty (60) formal classroom hours of instruction related to compulsive gambling disorder.
- (5) Nothing in this chapter shall be construed as permitting any person licensed as a Licensed Alcohol and Drug Abuse Counselor to perform psychological testing intended to measure and/or diagnose mental illness. Consistent with

each counselor's formal education and training, licensees may administer and utilize appropriate assessment instruments which identify elements of perceptual inability to recognize empirical facts, problems of appropriately displaying emotions and inappropriate responses to the environment of individuals, couples and families as part of the alcohol and other drugs of abuse therapy process or in the development of a treatment plan in the context of chemical abuse systems.

- (6) Nothing in this chapter shall be construed as permitting an individual licensed as a Licensed Alcohol and Drug Abuse Counselor to administer, dispense, or prescribe drugs or in any manner engage in the practice of medicine as defined by Tennessee Law.
- (7) The professional practice domains and transdisciplinary competencies in which Licensed Alcohol and Drug Abuse Counselors may engage are as follows:
  - (a) Clinical Evaluation;
  - (b) Treatment Planning;
  - (c) Referral;
  - (d) Service Coordination;
  - (e) Counseling;
  - (f) Client, family, and community education;
  - (g) Documentation; and,
  - (h) Professional and ethical responsibilities.

**Rule 1200-30-01-.03 Necessity of Licensure**

- (1) Only persons who are licensed by the Board may represent themselves or practice as Licensed Alcohol and Drug Abuse Counselors or hold themselves out to the public as being licensed by means of using a title on signs, mailboxes, address plates, letterheads, announcements, telephone listings, business cards, or other instruments of professional identification.

**Rule 1200-30-01-.04 Qualifications for Licensure**

- (1) Licensure by examination.
  - (a) Prior to submitting an application to become a Level I Licensed Alcohol and Drug Abuse Counselor, each of the following minimum qualifications must be met:
    - 1. The applicant must have attained twenty-one (21) years of age.
    - 2. The applicant must be highly

regarded as possessing good moral character and professional ethics, as specified in Rule 1200-30-01-.13.

- 3. The applicant must have a high school diploma or a high school equivalency diploma.
- 4. The applicant must have completed six thousand (6000) hours of experience where the applicant has performed all of the eight (8) domains, as listed in TCA § 68-24-606, while providing alcohol and drug abuse counseling services under the direct supervision of a Qualified Clinical Supervisor who meets the requirements of the rules of the Board.
- 5. The applicant must have completed two hundred seventy (270) total hours of alcohol and drug abuse counseling education and training within the eight domains, as listed in TCA § 68-24-606. Six (6) hours of the 270 total hours of education shall pertain to alcohol and drug abuse counseling professional ethics.
- 6. Applicant must have completed a written philosophy of treatment, as defined in the licensure application.
- 7. The applicant must pass a jurisprudence examination approved by the Board.
- 8. The applicant must pass the National Certified Addiction Counselor (NCAC) Level I written examination that is administered by the National Certification Commission for Addiction Professionals (NCC AP) or the Master Addiction Counselor (MAC) written examination.

- (b) Prior to submitting an application to become a Level II Licensed Alcohol and Drug Abuse Counselor, each of the following minimum qualifications must be met:
  - 1. The applicant must have attained

twenty-one (21) years of age.

2. The applicant must be highly regarded as possessing good moral character and professional ethics, as specified in Rule 1200-30-01-.13.

3. The applicant must:

(i) Have a bachelor's degree in a behavioral health related field or higher level degree in a non-behavioral health related field from an accredited institution of higher learning, and submit an accredited institution of higher learning, and submit an official transcript, have completed two (2) years of full time or four thousand (4000) hours of experience while providing alcohol and drug abuse counseling services under the direct supervision of a Qualified Clinical Supervisor who meets the requirements of the rules of the Board and have alcohol and drug abuse counseling education and training within the eight domains, as listed in TCA § 68-24-606.

(ii) Have a master's or higher level degree in a behavioral health related field from an accredited institution of higher learning, and submit an official transcript, and have completed one (1) year of full time experience or two thousand (2000) hours of experience while providing alcohol and drug abuse counseling services under the direct supervision of a Qualified Clinical Supervisor who meets

the requirements of the rules of the Board and have alcohol and drug abuse counseling education and training within the eight domains, as listed in TCA § 68-24-606.

4. The applicant must have completed a written philosophy of treatment, as defined in the licensure application.
5. The applicant must pass a jurisprudence examination approved by the Board.
6. The applicant must pass the National Certified Addiction Counselor (NCAC) Level II written examination that is administered by the National Certification Commission for Addiction Professionals (NCC AP) or the Master Addiction Counselor (MAC) written examination.
7. The applicant must pass an oral examination demonstrating competency in the eight (8) domains listed in T.C.A. § 68-24-606.
8. Each person currently licensed in good standing as a Licensed Alcohol and Drug Abuse Counselor before January 1, 2016 shall thereafter be licensed as a Level II Licensed Alcohol and Drug Abuse Counselor. The Board will not impose any additional fee or require any additional application for the issuance of a license pursuant to this section.

#### **Rule 1200-30-01-.08 Examinations**

In addition to having filed an application, an individual seeking licensure by examination as a Level I Licensed Alcohol and Drug Abuse Counselor shall be required to successfully complete the Board's written and jurisprudence examinations, and an individual seeking licensure by examination as a Level II Licensed Alcohol and Drug Abuse Counselor shall be required to successfully complete the Board's oral, written, and jurisprudence examinations.

- *Please note this is a summary of the new rule changes and does not include each and every change*

to the rules. Please read the rulemaking document at <http://share.tn.gov/sos/rules/1200/1200-30/1200-30-01.20150625.pdf> to view all the changes.

## Alcohol and Drug Abuse Counselors Website

You may download a copy of the rules, applications and forms, board member list, board meeting schedule, policy statements, and other pertinent information at the board's website:

<http://tn.gov/health/topic/AD-board>

## Electronic Notification for Licensed Health Professionals

### NOTICE TO ALL LICENSED HEALTHCARE PROFESSIONALS – ELECTRONIC NOTICE OPTION

On January 1, 2013, a new law became effective requiring all Tennessee health professional boards to provide electronic notices to healthcare professionals they license. The law gives healthcare professionals the option of being notified electronically of the following: (1) Renewals of license, certification or registration; (2) Any fee increases; (3) Any changes in state law that impact the license holder; and (4) Any board meeting where changes in rules or fees are on the agenda. If a healthcare professional "opts in", the Department of Health will also be able to alert him or her of critical public health matters impacting Tennessee. Please visit [apps.tn.gov/hlrs/begin.jsp](http://apps.tn.gov/hlrs/begin.jsp) and complete the registration process to opt in. Upon receipt of a current email address, those who opt in will begin to receive ALL notices electronically rather than through the United States mail. Please note opting in means license renewal notification will be delivered electronically approximately 45 days in advance of the expiration date. The electronic notice will direct the licensee to the appropriate Web page to renew. For professions that do not permit licensees to renew their licenses online, a paper renewal will continue to be provided. For more information, contact the Health Professional Boards office at 615-741-5735 or toll-free at 1-800-778-4123.

## Renew Your License Online



Practitioners may access the online service at

<https://apps.tn.gov/hlrs/> to renew their licenses up to 70 days prior to the expiration date.

Click the "Licensing Renewal" link where you can renew your license and update your professional license information. *Licensees are responsible for renewing their licenses on time and keeping the Board apprised of current information. It is a violation of the law and of the Board's rules to practice on an expired license.*

**-Step 1: Login** - Select our board and your profession and enter your license number.

**-Step 2: Update your Information** - Change your home and/or office address.

**-Step 3: Enter your renewal information** - Answer all necessary questions, as if you were completing your hard-copy form.

**-Step 4: Payment** - Enter your credit card information through the secure site and choose "submit".

If you have met all of the criteria necessary, your renewal certificate will be mailed to you in approximately one week. Updated license information will be available on the department's web site within two business days.

## Retirement of License

If you are not practicing in Tennessee and do not wish to renew your license, it is suggested you retire your license rather than have it fall into failed to renew status. A retirement form may be obtained at our website at:

<http://tn.gov/health/article/AD-applications>

If you do not have access to the internet, you may request a retirement form be mailed to you.



## Have You Moved/Changed Your Name?

Must be reported (in writing or by e-mail) to the board's office within 30 days! Please include the following:

- your name and license number;

- your profession;
- your old address and phone number;
- your new address and phone number, e-mail address, and/or your fax number; and your signature!
- If your name has changed due to marriage or divorce, you must send a copy of the document that made the change in status.

Keeping the board's administrative staff up to date on your location facilitates the timely notification to you of important information such as your application for licensure renewal and important statutory and rule changes.

You may fax your change to the board's administrative office at (615) 532-5369 or mail to: 665 Mainstream Dr., Nashville, TN 37243.

You may e-mail the board at: [TN.Health@tn.gov](mailto:TN.Health@tn.gov), or visit the website at: <http://tn.gov/health/topic/AD-board>

## PRACTITIONER PROFILE

When you notify the board of an address or name change, please remember to update your practitioner profile.

## WORKING ON AN EXPIRED LICENSE

Statute prohibits an individual from working as a licensed Alcohol and Drug Abuse Counselor unless he/she has an active license.

1. Upon recognition that his/her license has expired, the individual must stop practicing immediately and contact the Board's administrative office and request a reinstatement application.
2. The individual must complete the reinstatement in its entirety along with a detailed work history from the date the license expired. The application must be signed and notarized and returned to the Board's administrative office along with proof of documentation of continuing education requirements taken within the previous twelve (12) months, as well as all applicable fees.
3. Once the completed reinstatement application and all required documentation is received, the Board administrator may immediately reinstate the license **only** if the license has been in an expired status for a period of three (3) months or less.
4. If the reinstatement application received indicates in the work history that the individual has worked **more than three (3) months on an expired license, the licensee will be assessed a \$100 penalty for each month worked in excess of three (3) months.**

*Discipline for lapsed licenses is reportable to the national databanks as well as the Department's Disciplinary Action report and will be noted on the practitioner's licensure profile.*



## OFFICE OF INVESTIGATIONS

The Office of Investigations is responsible for receiving and processing all complaints for the licensure boards. To file a complaint, please contact the Office of Investigations at 1-800-852-2187 or visit our website where you may download and print out the complaint form.

## To Contact This Board Call:

**(615) 741-5735 local or (800) 778-4123 nationwide or write to:**

**Tennessee Board of Licensed Alcohol and Drug Abuse Counselors  
665 Mainstream Drive  
Nashville, TN 37243**

**or visit the board's website at:  
<http://tn.gov/health/topic/AD-board>**

## BOARD MEMBERS

Sherry Butler, LADAC  
Susan Cunningham, LADAC, Chair  
Karen Dennis, LADAC  
Major McNeil, Citizen Member  
Hilde Phipps, LADAC

## BOARD STAFF

Barbara Maxwell  
LaTonya Shelton  
Board Administrators

Vanessa Hayes  
Licensing Tech

Theodora (Teddy) Wilkins  
Administrative Director