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SUGGESTED SUBSTITUTE TO AAC VERSION – ORDINARY ONLY

**BOARDS AND COMMISSIONS
Board of Alcohol and Drug Counselors**

201 KAR 35:010. Definitions for 201 KAR Chapter 35.

RELATES TO: KRS 309.080, 309.0805, 309.081, 309.0813, 309.084, 309.085, 309.086, 309.087, 309.089, **309.0830, 309.0834**

STATUTORY AUTHORITY: KRS 309.0813(1)

NECESSITY, FUNCTION, AND CONFORMITY: KRS 309.0813 requires the Kentucky Board of Alcohol and Drug Counselors to promulgate administrative regulations for the administration and enforcement of KRS 309.080 to 309.089 and for establishing requirements for alcohol and drug counselors, certified clinical supervisors, and peer support specialists. This administrative regulation establishes definitions of terms used by the board in administrative regulations pertaining to the administration and enforcement of KRS 309.080 to 309.089, credentialing of alcohol and drug counselors, certified clinical supervisors, and peer support specialists.

Section 1. (1) "Academic course" means a course that is offered by a postsecondary institution accredited by a recognized accreditation agency and that is:

- (a) An alcohol and drug counseling course, designated by title or content; or
- (b) An academic course, relevant to alcohol and drug counseling.

(2) "Applicant" means an individual who has applied for temporary registration, registration, temporary certification, certification, or licensure in accordance with KRS 309.084 or a credential holder renewing a[his] credential[application] in accordance with KRS 309.085.

(3) "Approved" means recognized by the Kentucky Board of Alcohol and Drug Counselors.

(4) "Board" is defined by KRS 309.080(1).

(5) "Certified alcohol and drug counselor associate I" is defined by KRS 309.080(2).

(6) "Certified alcohol and drug counselor associate II" is defined by KRS 309.080(3).

(7) "Certified alcohol and drug counselor" is defined by KRS 309.080(4).

(8) "Certified clinical supervisor" is defined by KRS 309.080(5).

(9)[(8)] "Chair" means the chairperson or vice-chairperson of the board.

(10)[(9)][(7)] "Charge" means a specific allegation contained in a formal complaint, as established in subsection **(15)[(14)][(42)]** of this section, issued by the board alleging a violation of a specified provision of KRS Chapter 309, the administrative regulations promulgated thereunder, or another state or federal statute or regulation.

(11)[(10)][(8)] "Classroom hour" means an academic hour from an accredited institution or continuing education hour.

(12)[(11)][(9)] "Client" means:

(a) An individual, family, or group who directly receives services from an alcohol and drug counselor or peer support specialist;

(b) A corporate entity or other organization if the contract is to provide an alcohol and drug counselor or peer support specialist service of benefit directly to the corporate entity or organization; or

(c) A legal guardian who is responsible for making decisions relative to the provision of services for a minor or legally incompetent adult.

(13)[(12)][(10)] "Clinical supervision" means a disciplined, tutorial process wherein principles are transformed into practical skills, with four (4) overlapping foci: administrative, evaluative,

clinical, and supportive.

(14)~~(13)~~~~(11)~~ "Clinical supervisor" means:

(a) A certified alcohol and drug counselor who:

1. Has at least two (2) years of post-certification~~[post-credential]~~ experience;

2.~~[and]~~ Has attended the board-sponsored supervision training;

3. ~~[who]~~ Provides supervision; and

4. Has a~~[whose]~~ credential **that** is currently in good standing with the board;~~;~~~~]~~ or

(b) A licensed clinical alcohol and drug counselor who:

1. a. Has at least twelve (12) months of post-licensure experience; or

b. Has attended the board-sponsored supervision training;

2. Who provides supervision; and

3. Has a~~[whose]~~ credential **that** is currently in good standing with the board.

(15)~~(14)~~~~(12)~~ "Complaint" means a written allegation of misconduct by a credentialed individual or another person, alleging a violation of:

(a) KRS 309.080 to 309.089~~[Chapter 309]~~;

(b) Administrative regulations promulgated in accordance with KRS 309.080 to 309.089~~[Chapter 309]~~;

(c) Another state or federal statute or regulation; or

(d) A combination of paragraphs (a), (b), or (c) of this subsection.

(16)~~(15)~~~~(13)~~ "Complaint screening committee" means a committee that reviews complaints, investigates reports, participates in informal proceedings to resolve a formal complaint, and consists of up:-

(a) Up] to three (3)~~[two~~ (2)] board members appointed by the chair~~;~~ and

(b) ~~If appointed, the executive director of the Division of Occupations and Professions, or another staff person, to be a non-voting member who is available to the committee for assistance].~~

(17)~~(16)~~~~(14)~~ "Continuing education hour" means fifty (50) clock minutes of participating in a continuing education experience.

(18)~~(17)~~~~(15)~~ "Credential holder" means a person who has a credential issued by the board pursuant to KRS 309.080 to 309.089~~[is defined by KRS 309.080(3)].~~

(19)~~(18)~~~~(16)~~ "Disciplinary action" means to:

(a) Revoke, suspend, place on probation, or restrict the credential holder; and

(b) Publicly reprimand, publicly admonish, or fine.

(20)~~(19)~~~~(17)~~ "Education~~[Educational]~~ program" means an organized learning experience:

(a) Planned and evaluated to meet behavioral objectives; and

(b) Presented in one (1) session or in a series.

(21)~~(20)~~~~(18)~~ "Informal proceedings" means the proceedings instituted at any stage of the disciplinary process with the intent of reaching a resolution~~[dispensation]~~ of a matter without further recourse to formal disciplinary procedures under KRS Chapter 13B.

(22)~~(21)~~~~(19)~~ "Investigator" means an individual designated by the board to assist the board in the investigation of a complaint or an investigator employed by ~~[the Attorney General or]~~ the board.

(23) "Licensed alcohol and drug counselor" is defined by KRS 309.080(7).

(24)~~(22)~~~~(20)~~ "Licensed clinical alcohol and drug counselor" is defined by KRS 309.080~~(8)~~~~(6)~~~~(4)]~~.

(25)~~(23)~~~~(21)~~ "Licensed clinical alcohol and drug counselor associate" is defined by KRS 309.080~~(9)~~~~(7)~~~~(5)]~~.

(26)~~(24)~~~~(22)~~ "Licensee" is defined by KRS 309.080~~(10)~~~~(8)~~~~(6)]~~.

(27)~~(25)~~~~(23)~~ "Provider" means an organization approved by the Kentucky Board of Alcohol and Drug Counselors for providing continuing education programs.

(28)~~(26)~~~~(24)~~ "Registered alcohol and drug peer support specialist" is defined by KRS 309.080~~(12)~~~~(10)~~~~(8)]~~.

~~(29)~~~~(27)~~~~(25)~~ "Registrant" is defined by KRS 309.080~~(13)~~~~(11)~~~~(9)~~.

~~(30)~~~~(28)~~~~(26)~~ "Relevant" means having content applicable to the practice of alcohol and drug counseling in accordance with the requirements of 201 KAR 35:040, Section 3(2).

~~(31)~~~~(29)~~~~(27)~~ "Work experience" means the hours spent performing the services, tasks, and reports necessary for providing counseling, intervention, or support services to a person with a substance use disorder or that person's significant others.

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