

1 GENERAL GOVERNMENT CABINET

2 Board of Alcohol and Drug Counselors

3 (Emergency Amended After Comments)

4 201 KAR 35:010E. Definitions for 201 KAR Chapter 35.

5 RELATES TO: KRS 309.080, 309.0805, 309.081, 309.0813, 309.084, 309.085, 309.086,
6 309.087, 309.089, **2021 Ky. Acts ch. , sec. 1 (Senate Bill 166), 2021 Ky. Acts ch. , sec. 2**
7 **(Senate Bill 166)**

8 STATUTORY AUTHORITY: KRS 309.0813(1)

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

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

19 (a) An alcohol and drug counseling course, designated by title or content; or

20 (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 alcohol and drug counselor degreed" means a certified alcohol and drug counselor possessing a baccalaureate degree.

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

(10)(8) "Chair" means the chairperson or vice-chairperson of the board.

(11)(9)(7) "Charge" means a specific allegation contained in a formal complaint, as established in subsection ~~(14)~~~~(12)~~ 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.

(12)(10)(8) "Classroom hour" means an academic hour from an accredited institution or continuing education hour.

(13)(11)(9) "Client" means an individual, family, or group who directly receives services from an alcohol and drug counselor or peer support specialist; 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 a legal guardian who is

1 responsible for making decisions relative to the provision of services for a minor or legally
2 incompetent adult.

3 ~~(14)(12)~~[(10)] “Clinical supervision” means a disciplined, tutorial process wherein
4 principles are transformed into practical skills, with four (4) overlapping foci: administrative,
5 evaluative, clinical, and supportive.

6 ~~(15)(13)~~[(11)] “Clinical supervisor” means a certified alcohol and drug counselor who
7 has at least two (2) years of post-certification~~[poster~~credential] experience and has attended the
8 board-sponsored supervision training who provides supervision and whose credential is currently
9 in good standing with the board, or a licensed clinical alcohol and drug counselor who has at least
10 twelve (12) months of post-licensure experience or has attended the board-sponsored supervision
11 training who provides supervision and whose credential is currently in good standing with the
12 board.

13 ~~(16)(14)~~[(12)] “Complaint” means a written allegation of misconduct by a credentialed
14 individual or another person, alleging a violation of:

- 15 (a) KRS Chapter 309;
16 (b) Administrative regulations promulgated in accordance with KRS Chapter 309;
17 (c) Another state or federal statute or regulation; or
18 (d) A combination of paragraphs (a), (b), or (c) of this subsection.

19 ~~(17)(15)~~[(13)] “Complaint screening committee” means a committee that reviews
20 complaints, investigates reports, participates in informal proceedings to resolve a formal
21 complaint, and consists of up[:

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

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

3 **(18)(16)**~~[(14)]~~ “Continuing education hour” means fifty (50) clock minutes of
4 participating in a continuing education experience.

5 **(19)(17)**~~[(15)]~~ “Credential holder” means a person who has a credential issued by the
6 board pursuant to KRS 309.080 to 309.089~~[is defined by KRS 309.080(3)].~~

7 **(20)(18)**~~[(16)]~~ “Disciplinary action” means to:

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

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

10 **(21)(19)**~~[(17)]~~ “Education~~[Educational]~~ program” means an organized learning
11 experience:

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

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

14 **(22)(20)**~~[(18)]~~ “Informal proceedings” means the proceedings instituted at any stage of
15 the disciplinary process with the intent of reaching a resolution~~[dispensation]~~ of a matter without
16 further recourse to formal disciplinary procedures under KRS Chapter 13B.

17 **(23)(21)**~~[(19)]~~ “Investigator” means an individual designated by the board to assist the
18 board in the investigation of a complaint or an investigator employed by ~~[the Attorney General or]~~
19 the board.

20 **(24) “Licensed alcohol and drug counselor” is defined by KRS 309.080(7).**

21 **(25)(22)**~~[(20)]~~ “Licensed clinical alcohol and drug counselor” is defined by KRS
22 309.080(6~~[4]~~).

1 ~~(26)~~~~(23)~~~~(21)~~ “Licensed clinical alcohol and drug counselor associate” is defined by
2 KRS 309.080(~~7~~~~5~~).

3 ~~(27)~~~~(24)~~~~(22)~~ “Licensee” is defined by KRS 309.080(~~8~~~~6~~).

4 ~~(28)~~~~(25)~~~~(23)~~ “Provider” means an organization approved by the Kentucky Board of
5 Alcohol and Drug Counselors for providing continuing education programs.

6 ~~(29)~~~~(26)~~~~(24)~~ “Registered alcohol and drug peer support specialist” is defined by KRS
7 309.080(~~10~~~~8~~).

8 ~~(30)~~~~(27)~~~~(25)~~ “Registrant” is defined by KRS 309.080(~~11~~~~9~~).

9 ~~(31)~~~~(28)~~~~(26)~~ “Relevant” means having content applicable to the practice of alcohol and
10 drug counseling in accordance with the requirements of 201 KAR 35:040, Section 3(2).

11 ~~(32)~~~~(29)~~~~(27)~~ “Work experience” means the hours spent performing the services, tasks,
12 and reports necessary for providing counseling, intervention, or support services to a person with
13 a substance use disorder or that person's significant others.

201 KAR 35:010E
(Emergency Amended After Comments)

READ AND APPROVED:



May 12, 2021

Tim Cesario
Chair, Kentucky Board of Alcohol and Drug
Counselors

Date

REGULATORY IMPACT ANALYSIS AND TIERING STATEMENT

201 KAR 35:010E (Emergency Amended After Comments)

Contact Person: Kevin R. Winstead

Phone: +1 (502) 782-0562

Email: KevinR.Winstead@ky.gov

(1) Provide a brief summary of:

(a) What this administrative regulation does: This administrative regulation defines the terms used in 201 KAR Chapter 35.

(b) The necessity of this administrative regulation: This regulation is necessary to define the terms used in 201 KAR Chapter 35.

(c) How this administrative regulation conforms to the content of the authorizing statutes: The authorizing statute, KRS 309.0813(1) requires the board to promulgate regulations pursuant to KRS Chapter 13A for the administration and enforcement of KRS 309.080 to 309.089. KRS 309.0813(2), (4), (5), and (12) further require the board to establish requirements regarding standards of practice, continuing education, examinations, the process to obtain a credential, and to establish certain fees.

(d) How this administrative regulation currently assists or will assist in the effective administration of the statutes: This regulation will provide a definition for terms used in 201 KAR Chapter 35.

(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 by: (1) adding temporary registration and temporary certification to the definition of “applicant”; (2) making pronouns gender neutral; (3) clarifying that a credential holder renews a credential not an application; (4) adding definitions for certified alcohol and drug counselor associate I and II; (5) updating statutory location for certified alcohol and drug counselor; (6) changing definition for “clinical supervisor” to reflect changes in statutory requirements, specifically, defining a clinical supervisor as a certified alcohol and drug counselor who has two (2) years of post-certification experience and has attended the board-sponsored training or a licensed clinical alcohol and drug counselor who has at least twelve (12) months of post-licensure experience or has attended the board-sponsored supervision training; (7) deleting reference to the executive director of the Division of Occupations and Professions as a non-voting member of the complaint screening committee; (8) updating definition of credential holder to mean a person who has a credential issued by the board pursuant to KRS 309.080 to 309.089; (9) removing the Attorney General” from the definition of “investigator.” The Emergency Amended After Comments version will also change this existing administrative regulation by adding definitions for “Certified clinical supervisor”, “Licensed alcohol and drug counselor”, and “Certified alcohol and drug counselor degree”.

(b) The necessity of the amendment to this administrative regulation: This amendment is necessary to have clear definitions for terms used in the board's regulations. Further, the Emergency Amended After Comments version will also add references to the "certified clinical supervisor" and "licensed alcohol and drug counselor" credentials created by 2021 Ky. Acts ch. __ (Senate Bill 166).

(c) How the amendment conforms to the content of the authorizing statutes: The amendment conforms to the content of the authorizing statute. The authorizing statute, KRS 209.0813(1), requires the board to promulgate regulations pursuant to KRS Chapter 13A for the administration and enforcement of KRS 309.080 to 309.089. KRS 309.0813(2), (4), (5), and (12) further require the board to establish requirements regarding standards of practice, continuing education, examinations, the process to obtain a credential, and to establish certain fees.

(d) How the amendment will assist in the effective administration of the statutes: The amendment will assist in the effective administration of the statutes by providing clear definitions for terms used in the board's regulations.

(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: There are no actions needed to be taken for compliance of this administrative regulation.

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

(c) As a result of compliance, what benefits will accrue to the entities: Applicants and credential holders benefit by having the definitions of terms used within the regulations to clarify the regulations and put the licensee on clear notice.

(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: No increase in fees or funding will be required to implement the changes made by this regulation.
- (8) State whether or not this administrative regulation established any fees or directly or indirectly increased any fees: This administrative regulation does not establish fees or directly or indirectly increase any fees.
- (9) TIERING: Is tiering applied? Explain why or why not. Tiering was not applied as this regulation does not distinguish between similarly situated individuals on the basis of any factor.

FISCAL NOTE ON STATE OR LOCAL GOVERNMENT

Regulation: 201 KAR 35:010E (Emergency Amended After Comments)

Contact Person: Kevin R. Winstead

Phone: +1 (502) 782-0562

Email: KevinR.Winstead@ky.gov

(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? 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), (2), (4), (5), (6), and (12). 2021 Ky. Acts ch. __ (Senate Bill 166), which was effective as of March 1, 2021, creates the “certified clinical supervisor” and “licensed alcohol and drug counselor” credentials and establishes requirements for those credentials.

(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.

(4) Revenues (+/-): Neutral

(5) Expenditures (+/-): Neutral

(6) Other Explanation: None

STATEMENT OF CONSIDERATION RELATING TO

201 KAR 35:010E
201 KAR 35:020E
201 KAR 35:025E
201 KAR 35:040E
201 KAR 35:050E
201 KAR 35:055E
201 KAR 35:070E
201 KAR 35:075E
201 KAR 35:080E

Kentucky Board of Alcohol and Drug Counselors

(Amended After Comments)

201 KAR 35:010E
201 KAR 35:020E
201 KAR 35:025E
201 KAR 35:040E
201 KAR 35:050E
201 KAR 35:070E
201 KAR 35:075E
201 KAR 35:080E

(Not Amended After Comments)

201 KAR 35:055E

I. The public hearing for 201 KAR 35:010E, 201 KAR 35:020E, 201 KAR 35:025E, 201 KAR 35:040E, 201 KAR 35:050E, 201 KAR 35:055E, 201 KAR 35:070E, 201 KAR 35:075E, and 201 KAR 35:080E, scheduled for April 26, 2021, at the Department of Professional Licensing was canceled; however, written comments were received during the public comment period.

II. The following people submitted written comments:

<u>Name and Title</u>	<u>Agency/Organization</u>
Tim Cesario	Member, Kentucky Board of Alcohol and Drug Counselors
Karyn Hascal	Member, Kentucky Board of Alcohol and Drug Counselors

III. The following people from the Kentucky Board of Alcohol and Drug Counselors (“Board”) responded to the written comments:

Name and Title

Tim Cesario, Chair

IV. Summary of Comments and Responses

(1) Subject Matter: Senate Bill 166 (2021).

(a) Comment: The passage of SB 166 in the 2021 Legislative Session, effective March 1, 2021, may require changes to the emergency administrative regulations.

(b) Response: The Board agrees. SB 166 created two new credentials, “certified clinical supervisor” and “licensed alcohol and drug counselor”, effective retroactively to March 1, 2021. The changes are in the Emergency After Amended Comments (EAAC) versions filed with this Statement of Consideration. The changes add definitions for the new credentials (201 KAR 35:010E), and add references to the new credentials where applicable regarding fees (201 KAR 35:020E), prohibition of use of titles for canceled credentials (201 KAR 35:020E), examinations (201 KAR 35:025E), continuing education (201 KAR 35:040E), curriculum of study (201 KAR 35:050E), supervision (201 KAR 35:070E), substitution for work experience (201 KAR 35:075E), voluntary inactive and retired status (201 KAR 35:080E), and to certain related material incorporated by reference (KBADC Form 1 Application (201 KAR 35:020E), KBADC Form 10 Certified Alcohol and Drug Counselor and Licensed Alcohol and Drug Counselor Verification of Classroom Training(201 KAR 35:050E), KBADC Form 4 Request to Provide Supervision (201 KAR 35:070E), and KBADC Form 12 Workplace Experience Substitution Request (201 KAR 35:075E)). Further, the EAAC creates the KBADC Form 23 Application for Certified Clinical Supervisor as material incorporated by reference (201 KAR 35:020E).

(2) Subject Matter: Distinguishing degreed certified alcohol and drug counselors.

(a) Comment: Distinguish individuals who are degreed Certified Alcohol and Drug Counselors.

(b) Response: The Board agrees. The EAAC versions filed with this Statement of Consideration add a definition for a designation of “certified alcohol and drug counselor degreed” (201 KAR 35:010E), and include the new designation in the provision regarding application fees (201 KAR 35:020E) and in material incorporated by reference (KBADC Form 1 Application (201 KAR 35:020E)).

(3) Subject Matter: Clarification.

(a) Comment: Clarify the number of hours for curriculum of study for an applicant seeking registration as an alcohol and drug peer support specialist.

(b) Response: The Board agrees, and a corresponding clarification is in the EAAC version of 201 KAR 35:050E.

V. Summary of Statement of Consideration and Action Taken by Promulgating Administrative Body

The public hearing on these administrative regulations was canceled; however, written comments

were received. The Kentucky Board of Alcohol and Drug Counselors responded to the comments and amends the administrative regulations as follows:

201 KAR 35:010E

Page 1

Relates To

Line 6

After "309.089", insert the following:

, 2021 Ky. Acts ch. , sec. 1 (Senate Bill 166), 2021 Ky. Acts ch. , sec. 2 (Senate Bill 166)

Page 1

Necessity, Function, and Conformity

Line 9

After "regulations", insert the following:

for the administration and enforcement of KRS 309.080 to 309.089 and

Page 1

Necessity, Function, and Conformity

Line 10

After "drug counselors", insert "**, certified clinical supervisors,**";

Page 1

Necessity, Function, and Conformity

Line 12

After "pertaining to the", insert the following:

administration and enforcement of KRS 309.080 to 309.089,

Page 1

Necessity, Function, and Conformity

Line 12

After "drug counselors", insert "**, certified clinical supervisors,**";

Page 1

Necessity, Function, and Conformity

Line 12

After "specialists", insert the following:

, and the designation of certified alcohol and drug counselor degreed

Page 2

Section 1(7)

Line 4

After "(7) 'Certified alcohol and drug counselor' is defined by KRS 309.080(4).", insert the following:

(8) “Certified alcohol and drug counselor degreed” means a certified alcohol and drug counselor possessing a baccalaureate degree.

(9) “Certified clinical supervisor” is defined by KRS 309.080(5).

Page 2

Section 1(8)

Line 5

Before “Chair”, insert “**(10)**”;

Delete “**(8)**”.

Page 2

Section 1(9)

Line 6

Before “Charge”, insert “**(11)**”;

Delete “**(9)**”.

Page 2

Section 1(10)

Line 10

Before “Classroom hour”, insert “**(12)**”;

Delete “**(10)**”.

Page 2

Section 1(11)

Line 12

Before “Client”, insert “**(13)**”;

Delete “**(11)**”.

Page 2

Section 1(12)

Line 18

Before “Clinical supervision”, insert “**(14)**”;

Delete “**(12)**”.

Page 2

Section 1(13)

Line 21

Before “Clinical supervisor”, insert “**(15)**”;

Delete “**(13)**”.

Page 3

Section 1(14)

Line 4

Before “Complaint”, insert “**(16)**”;

Delete “**(14)**”.

Page 3

Section 1(15)

Line 10

Before "'Complaint screening committee'", insert "**(17)**";

Delete "(15)".

Page 3

Section 1(16)

Line 16

Before "'Continuing education hour'", insert "**(18)**";

Delete "(16)".

Page 3

Section 1(17)

Line 18

Before "'Credential holder'", insert "**(19)**";

Delete "(17)".

Page 3

Section 1(18)

Line 20

Before "'Disciplinary action'", insert "**(20)**";

Delete "(18)".

Page 3

Section 1(19)

Line 23

Before "'Education[~~Educational~~] program'", insert "**(21)**";

Delete "(19)".

Page 4

Section 1(20)

Line 3

Before "'Informal proceedings'", insert "**(22)**";

Delete "(20)".

Page 4

Section 1(21)

Line 6

Before "'Investigator'", insert "**(23)**";

Delete "(21)".

Page 4

Section 1(21)

Line 8

After "board.", insert the following:

(24) “Licensed alcohol and drug counselor” is defined by KRS 309.080(7).

Page 4

Section 1(22)

Line 9

Before ““Licensed clinical alcohol and drug counselor””, insert “**(25)**”;

Delete “**(22)**”.

Page 4

Section 1(23)

Line 11

Before ““Licensed clinical alcohol and drug counselor associate””, insert “**(26)**”;

Delete “**(23)**”.

Page 4

Section 1(24)

Line 13

Before ““Licensee””, insert “**(27)**”;

Delete “**(24)**”.

Page 4

Section 1(25)

Line 14

Before ““Provider””, insert “**(28)**”;

Delete “**(25)**”.

Page 4

Section 1(26)

Line 16

Before ““Registered alcohol and drug peer support specialist””, insert “**(29)**”;

Delete “**(26)**”.

Page 4

Section 1(27)

Line 18

Before ““Registrant””, insert “**(30)**”;

Delete “**(27)**”.

Page 4

Section 1(28)

Line 19

Before ““Relevant””, insert “**(31)**”;

Delete “**(28)**”.

Page 4

Section 1(29)

Line 21

Before "'Work experience'", insert "**(32)**";

Delete "**(29)**".

201 KAR 35:020E

Page 1

Relates To

Line 6

After "309.085(1)(a)", insert the following:

, 2021 Ky. Acts ch. , sec. 1 (Senate Bill 166), 2021 Ky. Acts ch. , sec. 2 (Senate Bill 166)

Page 1

Necessity, Function, and Conformity

Line 8

Before "KRS", insert the following:

KRS 309.0813(1) 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.

Page 1

Necessity, Function, and Conformity

Line 13

After "fees", insert the following:

and prohibits the use of the credential titles by those whose credentials are canceled

Page 1

Section 1(1)

Line 16

After "associate,", insert the following:

licensed alcohol and drug counselor, certified alcohol and drug counselor degreed.

Page 1

Section 1(1)

Line 18

After "dollars.", insert the following:

The application fee for a certified clinical supervisor, KBADC Form 23, shall be fifty (50) dollars.

Page 2

Section 2(2)

Line 12

After "certification", insert the following:

, and an applicant for licensed alcohol and drug counselor,

Page 2

Section 2(3)

Line 14

Before "licensure", insert "**clinical**".

Page 2

Section 2(3)

Line 15

After "\$200.", insert the following:

(4) An applicant for certified clinical supervisor shall pay an examination fee of \$200. The fee for retaking the comprehensive examination for licensure shall be \$200.

Page 2

Section 3(2)

Line 18

Before "fee", delete " certification".

Page 2

Section 3(2)

Line 18

After "drug counselor", insert the following:

and licensed alcohol and drug counselor

Page 2

Section 3(3)

Line 20

After "\$200.", insert the following:

(4) The certification fee for a certified clinical supervisor shall be \$200.

Page 3

Section 4(1)(c)2.

Line 12

After "counseling.", insert the following:

3. Use the title "licensed alcohol and drug counselor", hold himself or herself out as a licensed alcohol and drug counselor, or engage in the practice of alcohol and drug counseling.

Page 3

Section 4(1)(c)3.

Line 13

Before "Use", insert "4.";

Delete "3.".

Page 3

Section 4(1)(c)4.

Line 16

Before "Use", insert "5.";

Delete "4.".

Page 3

Section 4(1)(c)4.

Line 18

After "counseling.", insert the following:

6. Use the title "certified clinical supervisor", hold himself or herself out as a certified clinical supervisor, or otherwise represent themselves as a certified clinical supervisor.

Page 4

Section 4(1)(e)

Line 2

After "counseling.", insert the following:

(f) The certified clinical supervisor status of a person holding a canceled certified alcohol and drug counselor, licensed alcohol and drug counselor, or licensed clinical alcohol and drug counselor credential shall be revoked at the time of cancelation of the certified alcohol and drug counselor, licensed alcohol and drug counselor, or licensed clinical alcohol and drug counselor credential.

Page 5

Section 4(2)(h)

Line 6

After "period.", insert the following:

(i) The renewal fee for licensure as a licensed alcohol and drug counselor shall be \$200 for a three (3) year period, and shall accompany the Form 16, Application for Renewal.

(j) The late renewal fee, including penalty, for the ninety (90) day grace period shall be \$250 for licensure as a licensed alcohol and drug counselor for a three (3) year period.

Page 5

Section 4(2)(i)

Line 7

Before "The renewal fee", insert "**(k)**";
Delete "**(i)**".

Page 5

Section 4(2)(j)

Line 9

Before "The late renewal fee", insert "**(l)**";
Delete "**(j)**".

Page 5

Section 4(2)(j)2.

Line 12

After "dollars.", insert the following:

3. The renewal fee for certification as a certified clinical supervisor shall be \$200 for a three (3) year period, and shall accompany the Form 16, Application for Renewal.
4. The late renewal fee, including penalty, for the ninety (90) day grace period shall be \$250 for certification as a certified clinical supervisor for a three (3) year period.

Page 5

Section 5(2)

Line 20

After "canceled", insert "**credential**";
Delete "certificate".

Page 5

Section 5(2)

Line 20

After "of a", insert "**licensed alcohol and drug counselor,**".

Page 6

Section 5(3)(c)2.

Line 11

After "\$100.", insert the following:

(4) A canceled credential of a certified clinical supervisor may be reinstated within one (1) year of the anniversary date of issue of renewal by:
(a) Submitting a completed Application for Reinstatement;
(b) Proof of completion of continuing education in accordance with 201 KAR 35:040; and
(c) Payment of a \$100 reinstatement fee, for certification for a three (3) year period.

Page 7

Section 7(3)(c)

Line 4

After "certificate as a", insert " **licensed alcohol and drug counselor or**".

Page 7

Section 7(3)(d)

Line 8

After "reactivation.", insert the following:

(e) The fee for reactivation of a certificate as a certified clinical supervisor that was held at the time the primary credential went into inactive or retired status is included in the fee for reactivation of the primary credential.

Page 8

Section 9(1)(a)

Line 6

After "'KBADC Form 1, Application'", insert "**May**";
Delete "March".

Page 8

Section 9(1)(c)

Line 8

After "March 2021~~[June 2015]~~.", insert the following:

(d) "KBADC Form 23, Application for Certified Clinical Supervisor", May 2021.

KBADC Form 1, Application

Page 1

Opening paragraph

Fifth Line

After "TEMPORARY CERTIFICATION AS AN ALCOHOL AND DRUG ", insert "**COUNSELOR**";
Delete "COUNSLOR".

Page 1

Opening paragraph

Sixth Line

After "CERTIFICATION AS AN ALCOHOL AND DRUG ", insert "**COUNSELOR**";
Delete "COUNSLOR".

Page 1

Opening paragraph

Sixth Line

After "CERTIFICATION AS AN ALCOHOL AND DRUG COUNSLOR", insert the following:

CERTIFICATION AS AN ALCOHOL AND DRUG COUNSELOR DEGREED
()

Page 1

Opening paragraph

Eighth Line

After "LICENSED CLINICAL ALCOHOL AND DRUG COUNSELOR", insert the following:

LICENSED ALCOHOL AND DRUG COUNSELOR **()**

Pages 1, 2, 3

Edition Date

Footer

After "'KBADC Form 1 (", insert "**May**";

Delete "March".

KBADC Form 23, Application for Certified Clinical Supervisor

"KBADC Form 23, Application for Certified Clinical Supervisor", May 2021 is a five (5) page application for the Certified Clinical Supervisor credential. Form 23 requires certain demographic, education, training, work experience, work experience substitution (if applicable), and supervision experience information.

Pages 1, 2

Section 1

This section requests certain information about the applicant, including name, social security number, date of birth, phone numbers, mailing address, employer information (name, address, phone), date of credentialing, and credential number. This section further asks for responses to questions regarding any previous suspension or revocation of a credential, any convictions of a felony within five years, any credential as an alcohol or drug counselor in another state, any discharge or forced resignation from any position or training program or university program, and any sanction by the Board or any credentialing board or professional organization for ethical misconduct.

Page 2

Section 2

This section requests certain information about the applicant's education, including the required amounts of classroom hours in certain required domains and in board-sponsored training.

Pages 4, 5

Section 3

This section requests certain information about the applicant's work experience, including employer name and address, title or position, employment dates, clinical supervisor, number of work hours per week related to alcohol and drug clients, and description of work duties related to alcohol and drug clients. This section also contains information about the number of work experience hours that can be substituted depending on the type of degree earned by the applicant, and requests certain information if the applicant is requesting to substitute education for part of the work experience, including the name of the college or university, the degree earned, and the number of work substitution hours requested.

Page 5

Section 4.

This section requests certain information about the applicant's supervision experience, including whether the applicant has two hundred hours of providing face-to-face or interactive video supervision related to a credential issued by the Board or of a credential transferrable through reciprocity from an IC & RC member board, and, if so, requests copies of supervision logs of two hundred hours of supervision.

Page 5

Signature and attestation

This requests the applicant's signature and date of signature, after stating "I do hereby certify under penalty of law, that the information contained herein is true, correct and complete to the best of my knowledge and belief. Furthermore, I agree to abide by the standards of practice and code of ethics approved by the Board."

201 KAR 35:025E

Page 1

Relates To

Line 5

After "309.0833", insert the following:

, 2021 Ky. Acts ch. , sec. 1 (Senate Bill 166), 2021 Ky. Acts ch. , sec. 2 (Senate Bill 166)

Page 1

Necessity, Function, and Conformity

Line 10

After "requirements", insert the following:

for alcohol and drug peer support specialists, certified alcohol and drug counselors, licensed alcohol and drug counselors, licensed clinical alcohol and drug counselors, licensed clinical alcohol and drug counselor associates, and certified clinical supervisors

Page 1
Section 1(2)
Line 16

After "Consortium.", insert the following:

(3) An applicant for licensure as a licensed alcohol and drug counselor shall take the comprehensive examination offered by the International Certification and Reciprocity Consortium.

Page 1
Section 1(3)
Line 17

Before "An applicant", insert "**(4)**";
Delete "(3)."

Page 1
Section 1(3)
Line 17

After "licensure", insert the following:
as a licensed clinical alcohol and drug counselor and licensed clinical alcohol and drug counselor associate

Page 1
Section 1(3)
Line 18

After "Consortium.", insert the following:

(5) An applicant for certification as a certified clinical supervisor shall take the comprehensive examination offered by the International Certification and Reciprocity Consortium.

201 KAR 35:040E

Page 1
Relates To
Line 5

After "309.085(1)(b)", insert the following:

, 2021 Ky. Acts ch. __, sec. 1 (Senate Bill 166), 2021 Ky. Acts ch. __, sec. 2 (Senate Bill 166)

Page 1
Necessity, Function, and Conformity
Line 11

After "courses", insert "**for persons credentialed by the Board**".

Page 1

Section 1(1)(c)

Line 20

After "holding a", insert "**credential**";
Delete "certificate".

Page 1

Section 1(1)(c)

Line 20

After "as a", insert "**licensed alcohol and drug counselor or**";

Page 2

Section 1(1)(e)

Line 7

After "cycle.", insert the following:

(2) A minimum of nine (9) continuing education hours shall be accrued by each person holding a certificate as a certified clinical supervisor during the three (3) year licensure period for renewal, at least three (3) hours of which shall be the board sponsored clinical supervision training. These hours can be included in the continuing education hours required for the certified alcohol and drug counselor, licensed alcohol and drug counselor, or licensed clinical alcohol and drug counselor credential held by the certified clinical supervisor.

Page 2

Section 1(2)

Line 8

Before "All", insert "**(3)**";
Delete "(2)".

Page 2

Section 1(3)

Line 10

Before "A credential", insert "**(4)**";
Delete "(3)".

Page 2

Section 1(4)

Line 15

Before "If the", insert "**(5)**";
Delete "(4)".

Page 2

Section 1(5)

Line 18

Before "A person", insert "**(6)**";
Delete "(5)".

Page 9

Section 9(1)

Line 9

After "reinstatement of", insert "**credentialing**";
Delete "certification".

Page 9

Section 9(1)

Line 9

After "as a", insert " **licensed alcohol and drug counselor or**";

Page 9

Section 9(1)(b)

Line 14

After "licensure.", insert the following:

(2) A person requesting reinstatement of certification as a certified clinical supervisor shall attend three (3) hours of board sponsored clinical supervision training within one (1) year immediately preceding the date that reactivation is requested.

Page 9

Section 9(2)

Line 15

Before "Failure", insert "**(3)**";
Delete "(2)".

Page 9

Section 9(3)

Line 17

Before "A person", insert "**(4)**";
Delete "(3)".

Page 9

Section 9(4)

Line 21

Before "A person", insert "**(5)**";
Delete "**(4)**".

Page 10

Section 9(4) [second so numbered]

Line 3

Before "Failure", insert "**(6)**";

Delete "(4)".

Page 10

Section 9(5)

Line 5

Before "A person", insert "**(7)**";

Delete "(5)".

Page 10

Section 9(6)

Line 9

Before "The continuing", insert "**(8)**";

Delete "(6)".

201 KAR 35:050E

Page 1

Relates To

Line 5

After "309.0842", insert the following:

, 2021 Ky. Acts ch. , sec. 1 (Senate Bill 166), 2021 Ky. Acts ch. , sec. 2 (Senate Bill 166)

Page 1

Necessity, Function, and Conformity

Line 12

After "requirement", insert "**for persons credentialed by the Board**".

Page 1

Section 1(1)(a)

Line 15

After "Complete", insert "**the required**";

Delete "**forty (40)**".

Page 2

Section 1(4)

Line 15

After "counselor", insert the following:

, or licensure as a licensed alcohol and drug counselor.

Page 3

Section 1(4)(a)2.

Line 9

After "Drug Counselor", insert the following:

and Licensed Alcohol and Drug Counselor

Page 4
Section 1(5)(d)
Line 16

After "violence.", insert the following:

(6) Certification as a certified clinical supervisor. An applicant seeking certification as a certified clinical supervisor shall:
(a) Complete thirty (30) hours of education specific to the International Certification and Reciprocity Consortium clinical supervision domains with a minimum of five (5) hours in each of the following domains:
1. Counselor Development;
2. Professional and Ethical Standards;
3. Program Development and Quality Assurance;
4. Assessing Counselor Competencies and Performance; and
5. Treatment Knowledge; and
(b) Applicant shall hold and maintain a certified alcohol and drug counselor, licensed alcohol and drug counselor, or licensed clinical alcohol and drug counselor credential.

Page 6
Section 4(1)(b)
Line 5

After "Drug Counselor", insert the following:
and Licensed Alcohol and Drug Counselor

Page 6
Section 4(1)(b)
Line 6

After "Training", insert "**May**";
Delete "**March**".

KBADC Form 10, Certified Alcohol and Drug Counselor and Licensed Alcohol and Drug Counselor Verification of Classroom Training

Page 1
Title
First Line

After "**COUNSELOR**", insert "**AND LICENSED ALCOHOL AND DRUG COUNSELOR**".

Page 1
First Paragraph
Second Line

After "counselor", insert the following:

and licensure as a licensed alcohol and drug counselor

Pages 1, 2, 3, 4

Edition version

Footer

After "KBADC FORM 10 (" , insert "**May**";

Delete "March".

201 KAR 35:070E

Page 1

Relates To

Line 6

After "309.0842", insert the following:

, 2021 Ky. Acts ch. , sec. 1 (Senate Bill 166), 2021 Ky. Acts ch. , sec. 2 (Senate Bill 166)

Page 1

Necessity, Function, and Conformity

Line 13

After "experience", insert the following:

" for licensed alcohol and drug counselors, licensed clinical alcohol and drug counselors, licensed clinical alcohol and drug counselor associates, certified alcohol and drug counselors, certified alcohol and drug counselor associates II, certified alcohol and drug counselor associates I, and registered alcohol and drug peer support specialists".

Page 3

Section 1(6)

Line 19

After "Licensure as a", delete " Clinical".

Page 3

Section 1(6)

Line 19

After "Alcohol and Drug Counselor", delete " Associate".

Page 5

Section 4(1)(a)

Line 3

After "drug counselor", insert the following:

“, licensed alcohol and drug counselor,

Page 5

Section 4(1)(b)

Line 6

After "drug counselor", insert the following:
 "**or licensed alcohol and drug counselor**"

Page 5

Section 4(2)

Line 15

After "three (3)", insert "**board-sponsored**";

Page 14

Section 14(1)(b)

Line 20

After "Provide Supervision", insert "**May**";
Delete "**March**".

KBADC Form 4, Request to Provide Supervision

Page 1

First Paragraph

First Line

After "CADC", insert "**LADC**".

Page 1

First Paragraph

Second Line

After "LCADC", insert "**LADC**".

Page 2

Section 3, First Paragraph

Fourth Line

After "drug counselor", insert "**or licensed alcohol and drug counselor**".

Page 2

Section 3, Second Paragraph

Fourth Line

After "drug counselor", insert "**or licensed alcohol and drug counselor**".

Page 2

Section 3, Third Paragraph

First Line

After "Drug Counselor", insert "**or Licensed Alcohol and Drug Counselor**".

Pages 1, 2

Edition date

Footer

After "KBADC Form 4", insert "**May 2021**".

201 KAR 35:075E

Page 1
Title
Line 5

After "drug counselor", insert the following:
and licensed alcohol and drug counselor

Page 1
Relates To
Line 6

After "309.0833", insert the following:
, 2021 Ky. Acts ch. __, sec. 2 (Senate Bill 166)

Page 1
Necessity, Function, and Conformity
Line 14

After "drug counselor", insert "**and licensed alcohol and drug counselor**".

Page 1
Section 1
Line 16

After "KRS 309.083", insert the following:
or a licensed alcohol and drug counselor under 2021 Ky. Acts ch. __, sec. 2

Page 2
Section 2(1)
Line 19

After "Substitution Request", insert "**May**";
Delete "March".

KBADC Form 12, Workplace Experience Substitution Request

Page 1
First Paragraph
First Line

After "CADC", insert "**or LADC**".

Page 1
Edition date
Footer

After "KBADC FORM 12 (" , insert "**May**".

Delete "March".

201 KAR 35:080E

Page 1

Relates To

Line 5

After "309.0813(5) and (12)", insert the following:

, 2021 Ky. Acts ch. , sec. 1 (Senate Bill 166), 2021 Ky. Acts ch. , sec. 2 (Senate Bill 166)

Page 1

Necessity, Function, and Conformity

Line 10

After "certified alcohol and drug counselor," insert "**licensed alcohol and drug counselor,**".

Page 1

Necessity, Function, and Conformity

Line 11

After "associate," delete " or".

Page 1

Necessity, Function, and Conformity

Line 11

After "licensed clinical alcohol and drug counselor", insert "**, and certified clinical supervisor**".

Page 3

Section 3(2)

Line 7

After "counselor", insert "**or supervisor**".

Page 3

Section 3(2)

Line 7

After "LCADCA," delete " or".

Page 3

Section 3(2)

Line 7

After "LCADC", insert "**, or CCS**";

Page 3

Section 3(6)

Line 14

After "services", insert " ";
Delete " or".

Page 3

Section 3(6)

Line 15

After "drug counseling", insert "**, or clinical supervision**".

Page 5

Section 5(3)(c)

Line 13

After "CADC-R", insert "**LADC-R, LCADC-R, or CCS-R**";
Delete "or LCADC-R".