Credentialing Procedures Manual

North Carolina Substance Abuse Professional Practice Board
Raleigh | North Carolina | 2012
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Forward

The information contained in this Credentialing Procedures Manual is a description of the categories, competencies and procedures for professionals who wish to submit their credentials and work experiences for credentialing. It also contains all of the necessary instructions needed to achieve these credentials and is provided to answer questions and explain the process of credentialing as it currently exists in North Carolina.

The Board wishes to acknowledge and thank the many professionals who have contributed of their time, energy and expertise in making this process a reality. Many colleagues in the field have given unselfishly so that those we serve can achieve sobriety and a drug-free lifestyle through the concerted efforts of well-trained, highly qualified and dedicated practitioners. They deserve no less.

Credentialing is a viable and important process. As technology changes and both the knowledge and skill bases in this science grow, so must our efforts to obtain, build upon and improve our methodologies, refine our skills and better serve those that suffer from addiction and dependency. That is our challenge. It is our calling and our responsibility, to both client and colleague, to provide the best possible services.

You are encouraged to call to our attention those changes and issues of which we must be aware as we pursue excellence in the field through this credentialing process. You are to be congratulated for your own personal pursuit. Working together we can and will make a difference for those we serve.
History and Development of the Credentialing Process in North Carolina

Beginning in the early 1970’s both the alcohol and drug abuse professional organizations in North Carolina stressed the importance of program accountability and peer review to gain respect and appreciation of other allied health professionals and organizations. The Addiction Professionals of North Carolina (APNC) and the Association of Drug Abuse Prevention (ADAP) recognized the need to establish certain minimum standards of education and experience for quality assurance in the field of substance abuse prevention, intervention and treatment. The State Personnel System had established an examination process for alcoholism staff but popular sentiments were not supportive of this process as assuring competency in the field. Also, the drug abuse staff working in community mental health centers or in CHMC contract agencies had no classification within the State Personnel System whatsoever. These developments prompted both APNC and ADAP to appoint study committees to investigate the possibility of establishing an independent peer review board to begin the voluntary process of certification.

While both groups proceeded in similar but separate fashion, the evolution of the current effort had its genesis. Constant dialogue and review by both organizations resulted in the establishment of the North Carolina Alcoholism Certification Board, Inc. in January of 1976 and shortly after, the North Carolina Drug Abuse Professional Certification Board, Inc. in December 1978. These two Boards operated apart from, but in cooperation with, their parenting bodies and sought non-profit, non-partisan and non-political status through legal incorporation. As both became operations, the response from the field indicated that drug and alcohol practitioners supported and endorsed this concept by their active application and participation in the certification process.

Historically, the board membership for both groups was established by selection of two practitioners from each of the mental health service regions chosen by the presidents of ADAP and APNC, appointed representatives of the state office and five members who were chosen by the appointees that represented consumers of services, laypersons and other professional disciplines who had an interest in alcohol and drug abuse services. These board members served voluntarily and without pay, as does the current board, to establish the criteria, process for testing and evaluation and policy/procedures for the certification effort in North Carolina.

Funding for these early efforts was initially provided by the parenting professional organizations until the respective boards became operational and began to collect fees for the certification process. Additional funding was obtained through the Single State Agency but emphasis has been strong toward gaining financial stability through the established fee process thereby insuring autonomy and independence from any specific grantor, which is critical to maintaining the integrity needed for the objective and non-partisan establishment of standards for professional competence.

As both boards continued to certify applicants, it became apparent that trends in the field and the commonality of the issues involved would lead to the merger of both groups into one single certifying body. In the Spring of 1984, representatives of both certification boards met with officials in the Department of Human Resources, Division of Mental Health, Developmental Disabilities and Substance Abuse Services to study and evaluate this issue. After much discussion by all concerned, it seemed both financially and organizationally sound to merge into a single board. The needs of both groups, as well as the common interest in substance abuse, seemed to be better served by this merger.

Concurrent with this movement the Division of Mental Health, Developmental Disabilities and Substance Abuse Services was reviewing the Standards for Area Programs and their Contract Agencies document that sets minimum standards for service delivery. It was the consensus of all parties involved that certification was a necessary and viable process for inclusion in this document. This issue was hotly debated both in the field and at public hearings conducted by
the Commission for Mental Health, Developmental Disabilities and Substance Abuse Services. Support for inclusion was varied among those outside the mainstream of substance abuse services, but within the field itself there was almost unanimous support and endorsement. This critical point in the evolution of the process presented in this manual will always be hailed as the turning point in the professionalization of substance abuse practice in the State of North Carolina.

The North Carolina Substance Abuse Professional Certification Board, Inc. became a duly chartered corporation in August 1984. Board members of both existing organizations were chosen by their peers to serve on this new board and equal representation was achieved by the choice of eight from each group. This new Corporation was organized for the following purposes:

1. To establish standards for professional practice in the alcohol and other drug abuse service delivery system,
2. To provide a means by which individuals certified under these standards may be recognized and identified as possessing the competencies necessary to practice as professionals in the alcohol and other drug abuse field, and
3. To establish a means by which alcohol and other drug abuse professionals may demonstrate their integrity and credibility to the general public as well as to other professionals. From the earliest meeting of this new organization, the hope was that those professionals who had supported both pre-existing groups would continue their support and strengthen this new effort as they worked to find common ground between those who worked specifically in alcohol and specifically in drug abuse for the betterment of the entire substance abuse profession.

Today there are over 2,300 substance abuse professionals certified in North Carolina. These persons hold over 2,800 certificates as counselors, clinical addictions specialists, prevention consultants, residential facility directors, criminal justice addictions professionals, and clinical supervisors. Hundreds more are in the process of being certified with one or more of these credentials.

In 1994 the Board amended its by-laws and instituted a new system whereby the majority of the members of the Board are elected by the certified professionals in the state. The first balloting resulted in the election of four women, each from a different region of the state. This change was made by the Board in order to give more of a voice in the certification process to those persons who are certified by the Board.

On July 14, 1994, the North Carolina General Assembly unanimously passed House Bill 1142 establishing the NCSAPCB as the statutorily-based independent credentialing board for the state. The NCSAPCB is charged by statute with protecting the public from “incompetent [substance abuse] practitioners.” Then in 1997, passage of Senate Bill 712 added an advanced credential with a degree requirement and, in 1999, a process was added to phase-in supervision of counselor applicants by persons credentialed by the Board as Certified Clinical Supervisors.

On August 22, 2005, the General Assembly of North Carolina enacted legislation changing the Board’s statute from title protection to practice protection. Full licensure was enacted in the state for all addiction professionals. The Board’s name changed to the North Carolina Substance Abuse Professional Practice Board.

North Carolina’s standards are in compliance with the International Certification and Reciprocity Consortium/Alcohol and Other Drug Abuse, Inc.
Process for Substance Abuse Counselor Credentialing

The Board provides opportunity for individuals working in the substance abuse field to become involved in the credentialing process at different stages of their professional development.

The process begins with the applicant requesting an application package. A letter requesting this package and a check or money order for $25.00 (non-refundable) should be sent to:

North Carolina Substance Abuse Professional Practice Board (NCSAPPB)
P.O. Box 10126
Raleigh, NC 27605

(BY STATUTE AND N.C. ADMINISTRATIVE CODE, ALL CERTIFICATION FEES ARE NON-REFUNDABLE AND NON-TRANSFERABLE.)

Definition of Substance Abuse Counseling Experience

The Board embraces the belief that the primary function of a substance abuse counselor is to provide therapeutic assistance to persons and families struggling with issues of chemical dependency and/or abuse. This assistance may take the form of individual, group or family counseling, referral, aftercare planning and provision of information. In order to provide such assistance, the counselor needs to possess a thorough knowledge of alcohol and other drug addiction along with their corresponding withdrawal syndromes and other physiological side effects.

A substance abuse counselor maintains an active caseload and regularly exercises independent judgment in defining the most appropriate course of treatment. Such case work documented by a thorough case record follows the treatment history from intake and assessment through treatment planning, aftercare planning and discharge or referral. It is the Board’s expectation that a substance abuse counselor is to be actively involved in all of the 12 Core Functions as defined.

SUBSTANCE ABUSE COUNSELING EXPERIENCE IS, THEREFORE, DEFINED AS APPROVED SUPERVISED EXPERIENCE, FULL-TIME OR PART-TIME, PAID OR VOLUNTARY, WORKING DIRECTLY WITH THE DRUG AND/OR ALCOHOL CLIENT. THIS EXPERIENCE MAY BE BOTH DIRECT AND INDIRECT, BUT MUST INCLUDE ALL OF THE 12 CORE FUNCTIONS. FORMAL EDUCATION OR UNSUPERVISED WORK EXPERIENCE MAY NOT BE SUBSTITUTED FOR THE EXPERIENCE REQUIREMENT. ALL EXPERIENCE MUST BE APPROPRIATELY DOCUMENTED BY JOB DESCRIPTION AND SUPERVISOR’S EVALUATION.

Registration with the Board

Individuals must register with the Board at the very beginning of their entry into the field. To make application for registration, the applicant must send the following to the Board:

1. The completed application forms, found in the application package. (This includes the application form, Criminal History Statement and the Disabilities Act Form).
2. Documentation of high school graduation, completion of GED, Baccalaureate or advanced degree. (Use official copies of transcripts as documentation as appropriate).
3. A signed supervision contract documenting the proposed supervision process by a Certified Clinical Supervisor or a Clinical Supervisor Intern.
4. A signed form attesting to the applicant’s commitment to adhere to the Code of Ethical Conduct of the Board.
5. A current job description.
6. A resume.
7. Documentation of three hours of educational training in ethics.
8. A completed fingerprint card along with the signed Authority for Release of Information form and a check or money order in the amount of $38.00 for the SBI Background Check fee.
9. A check or money order in the amount of $125.00 (non-refundable) made payable to NCSAPPB.

Once the above is received by the Board, the applicant’s materials will be reviewed. If found to be in order, the applicant will be granted registration status. He/she will receive an official letter to this effect.

It is important to note that the Board is not credentialing the registrant as a counselor. Should the registrant perform services as a counselor, in order for this experience to be considered toward credentialing at a later date, the registrant must receive supervision from an approved supervisor at a ratio of 1:10 hours (1 hour of supervision for every 10 hours of practice) for the 300 hour practicum and at a ratio of 1:40 hours thereafter.

**Substance Abuse Counselor Intern**

Once registration status is obtained, application materials can be submitted in pursuit of the Substance Abuse Counselor Intern status.

To be recognized as a Substance Abuse Counselor Intern, a counselor must submit documentation verifying the successful completion of 300 hours of Supervised Practical Training (see Supervised Practical Training).

Once an individual has been recognized as a Substance Abuse Counselor Intern, he/she may function as a counselor under the supervision of a Board approved supervisor at a ratio of 1:40 hours (1 hour of supervision for every 40 hours of practice). A Substance Abuse Counselor Intern may also pay the $125 testing fee and be scheduled for the examination at any time once this status has been established.

**Supervised Practical Training**

Supervised Practical Training is defined as supervision which seeks to teach the knowledge and skills related to professional substance abuse counseling. The 300 hours of Supervised Practical Training is a highly structured process of supervision. The supervision must be provided by a Board approved supervisor and must cover all Twelve Core Functions of the Substance Abuse Counselor. On the form provided in the application packet, the supervisor must verify and document that the supervisee has practiced at least 10 hours, under supervision, in each of the following core functions:

1. **Screening** — The process by which a client is determined appropriate and eligible for admission to a particular program.
2. **Intake** — The administrative and initial assessment procedures for admission to a program.
3. **Orientation** — Describing to the client:
   - general nature and goals of the program
   - rules governing client conduct and infractions that can lead to disciplinary action or discharge from the program;

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- in a non-residential program, the hours during which services are available;
- treatment costs to be borne by the client, if any, and;
- client’s rights.

4. **Assessment** — Those procedures by which a counselor/program identifies and evaluates an individual’s strengths, weaknesses, problems and needs for the development of the treatment plan.

5. **Treatment Planning** — Process by which the counselor and the client:

- identify and rank problems needing resolution;
- establish agreed upon immediate and long term goals, and;
- decide on a treatment process and the resources to be utilized.

6. **Counseling** — (Individual, Group & Significant Others) — The utilization of special skills to assist individuals, families or groups in achieving objectives through:

- exploration of a problem and its ramifications;
- examination of attitudes and feelings;
- consideration of alternative solutions, and;
- decision making.

7. **Case Management** — Activities which bring services, agencies, resources or people together within a planned framework of action toward the achievement of established goals. It may involve liaison activities, collateral contracts and multi-disciplinary team coordination.

8. **Crisis Intervention** — Those services which respond to an alcohol and/or other drug abuser’s needs during acute emotional and/or physical distress.

9. **Client Education** — Provision of information to individuals and groups, concerning alcohol and other drug abuse and the available services and resources.

10. **Referral** — Identifying the needs of the client that cannot be met by the counselor or agency and assisting the client to utilize the support systems and community resources available.

11. **Reports and Recordkeeping** — Charting the results of the assessment and treatment plan, writing reports, progress notes, discharge summaries and other client-related data.

12. **Consultation with Other Professionals In Regard To Client Treatment/Services**

- Relating with our own and other professionals to assure comprehensive, quality care for the client.

These 120 hours of supervision must be divided into one (1) hour of supervision for every ten (10) hours of practice in each one of the Twelve Core Functions. The remaining 180 hours of Supervised Practical Training must be in the Core Function areas, but may be distributed at the discretion of the supervisor and applicant.

At the completion of the 300 hours, the supervisor will complete an evaluation form reviewing the applicant’s professional development in the 12 Core Functions.

This training may be accomplished as part of an academic course of study in a regionally accredited college or university or it may be developed in the work setting as long as it is appropriately supervised.
Certified Substance Abuse Counselor

A Substance Abuse Counselor Intern may seek full certification as a Substance Abuse Counselor after completing the equivalent of three (3) years full time, supervised paid or volunteer experience as a Substance Abuse Counselor. This experience may be full-time or part-time, but the experience must amount to 6,000 hours of practice not to be earned in less than thirty-six (36) calendar months. He/she must also complete 270 clock hours of Board approved education/training. Once the Board reviews and approves the applicant’s experience and successful completion of education, an applicant must submit the $125 testing fee and successfully complete the IC&RC AODA examination (if he/she has not already done so). The following is a review of the requirements for credentialing as a Certified Substance Abuse Counselor:

1. The equivalent of three (3) years full time paid or volunteer supervised experience (6,000 hours) obtained as defined above. Experience must also be obtained in a setting, program or facility whose function is treating alcohol and drug abuse. If a work setting is not exclusively substance abuse focused, the applicant may accumulate experience proportional to the direct or indirect substance abuse services they perform. For example, with a 75% substance abuse counseling caseload, the applicant would need 4.5 years experience. With a 50% substance abuse caseload, the applicant would need 6 years experience.

2. 270 clock hours of Board approved education/training in the following ratio: 190 hours substance abuse specific (SAS). Up to 80 hours may be directed toward general professional skill building (GSB) to enhance counselor development. No more than 25% of the 270 hours (67.5 hours) may be inservice education received within your organization by staff of the same employment. No more than 50% of the 270 hours (135 hours) may be in independent study. All 270 clock hours needed for initial certification must be in the core competencies and the current Performance Domains as defined by the IC&RC/AODA, Inc. Of the 270 clock hours, applicants for certification as a Substance Abuse Professional must document six (6) hours of HIV/AIDS/STDS/TB/Bloodborne pathogens training and education, six (6) hours professional ethics education, and six (6) hours of education to be selected from the following:
   • Nicotine Dependence;
   • Psychopathology;
   • Evidence-Based Treatment Approaches;
   • Substance Abuse Issues In Older Adults; and
   • Substance Abuse Issues Affecting Veterans.

3. A $125.00 exam fee and $125.00 registration fee (non-refundable), if not paid previously.

4. Successful completion of a competency-based examination administered by the Board.
   NOTE: If a passing score is not achieved, the applicant may request a retest and submit a retest fee of $150.00 (non-refundable).

5. Completed evaluation forms must be submitted by three (3) references: A Board approved Supervisor, Co-Worker and Colleague. These evaluations must be mailed directly to the Board by the individuals completing the forms.

Upon successful completion of these requirements, a Certified Substance Abuse Counselor certificate and number will be awarded. A Board certified Substance Abuse Counselor must still function under the supervision of a Practice Supervisor. A Practice Supervisor is a Licensed Clinical Addictions Specialist, a Certified Clinical Supervisor or a Clinical Supervised Intern. Supervision shall be designated on a contract distributed by the Board.

NOTE: All examinations are IC&RC/AODA, Inc. examinations. This certification offers reciprocity through the IC&RC/AODA, Inc.
Licensed Clinical Addictions Specialist

The Licensed Clinical Addictions Specialist (LCAS) is a credential that is not only experience-based in its approach to substance abuse credentialing, but it also recognizes academic achievement as part of that process. All persons are required to hold a master’s degree in a human services field with a clinical application from a regionally accredited college or university in order to qualify for this credential. If the Board is uncertain as to whether or not an applicant’s degree qualifies as a human services degree, the Board will consult with the North Carolina Office of State Personnel.

The process of developing this portion of the Board’s legislation took approximately three years to complete. Many people involved in substance abuse services across the state were active participants in the process and the Board wishes to thank everyone who helped make this possible.

In particular, however, the Board is deeply indebted to the late Dr. Julian F. Keith, Jr., former chief of the state’s office of Substance Abuse Services, who had this vision and challenged the Board to move forward with this historic legislation and to Flo Stein, who was then deputy chief, for her unending support and encouragement. To our knowledge, no other substance abuse credentialing board in the country had legislation quite like this when the bill was enacted. In addition to the advanced level credential for substance abuse professionals, there is now in North Carolina a process whereby persons from other professional disciplines may be credentialed as substance abuse professionals without going through the process that has existed up until that time. This vision was Julian Keith’s and we regret that he could not be with us to share in the joy over the passage of this bill. Yet we know that his spirit lives on through this legislation.

The Application Process

There are several ways persons may apply to be licensed as a clinical addictions specialist. Listed below are the criteria for applying to become a licensed clinical addictions specialist. In order to obtain this credential, the applicant must meet one of the following four criteria.

Criteria A:

- a minimum of a master’s degree with a clinical application in a human services field from a regionally accredited college or university
- two years (4,000 hours) post-graduate supervised substance abuse counseling experience
- three letters of reference from licensed clinical addictions specialists or certified substance abuse professionals who hold master’s degrees
- documentation of a 300 hour practicum in the Twelve Core Functions of Substance Abuse Counseling with at least one (1) hour of supervision for ten (10) hours of practice in each core function
- achieves a passing score on master’s level IC&RC/AODA, Inc. examination
- 180 hours of substance abuse specific training as defined in the statute, administrative rules and in policy statements of the Board and the current Performance Domains as defined by the IC&RC/AODA, Inc.
- signed statement attesting to the intention to adhere fully to the Code of Ethical Conduct of the Board
- the applicant is not and has not engaged in any practice or conduct that would be grounds for disciplinary action under this statute
- complete criminal history background check
- Payment of fees — $38 SBI Background Check fee, $125 registration fee and $125 testing fee
- Application packet — $25.00

NOTE: Application under this criteria qualifies for reciprocity through the IC&RC/AODA, Inc.
Criteria B:

- a minimum of a master’s degree with a clinical application in a human services field from a regionally accredited college or university
- current certification as a substance abuse counselor (CSAC)
- achieves a passing score on a master’s level IC&RC/AODA, Inc. examination
- three letters of reference from licensed clinical addictions specialists or certified substance abuse professionals who hold master’s degrees
- signed statement attesting to the intention to adhere fully to the Code of Ethical Conduct of the Board
- the applicant is not and has not engaged in any practice or conduct that would be grounds for disciplinary action under this statute
- complete criminal history background check
- Payment of fees — $38 SBI Background Check fee, $125 registration fee and $125 testing fee
- Application packet — $25.00

NOTE: Application under this criteria qualifies for reciprocity through the IC&RC/AODA, Inc.

Criteria C:

- a minimum of a master’s degree in a human services field with a substance abuse specialty from a regionally accredited college or university that includes 180 hours of substance abuse specific training/education as defined in the statute, administrative rules and in policy statements of the Board and the current Performance Domains as defined by the IC&RC/AODA, Inc.
- one year (2,000 hours) of post-graduate supervised substance abuse counseling experience
- achieves a passing score on an IC&RC/AODA, Inc. examination administered by the Board
- three letters of reference from licensed clinical addictions specialists or certified substance abuse professionals who hold master’s degrees
- signed statement attesting to the intention to adhere fully to the Code of Ethical Conduct of the Board
- the applicant is not and has not engaged in any practice or conduct that would be grounds for disciplinary action under this statute
- complete criminal history background check
- Payment of fees — $38 SBI Background Check fee, $125 registration fee and $125 testing fee
- Application Packet $25.00

NOTE: Application under this criteria does NOT qualify for reciprocity through the IC&RC/AODA, Inc. but may qualify upon documentation of 300 hour practicum as defined above.

Criteria D:

- The applicant must be a member of a professional discipline granted deemed status by the Board. The applicant must be licensed, certified or otherwise recognized by that discipline as having met the standards of a substance abuse specialist and must hold a substance abuse certification from that professional discipline which has been granted deemed status by the North Carolina Substance Abuse Professional Practice Board. This license may be obtained through this process and by the payment of the licensure fees.
- complete criminal history background check
- Payment of fees — $38 SBI Background Check fee, $40 registration fee ($125 testing fee for Deemed Status via NASW)
- Application packet — $10.00

NOTE: Application under this criteria does NOT qualify for reciprocity through the IC&RC/AODA, Inc.
Competencies — Substance Abuse Clinicians

Domains

1. Clinical Evaluation
2. Treatment Planning
3. Referral
4. Service Coordination
5. Counseling
6. Client, Family & Community Education
7. Documentation
8. Professional & Ethical Responsibilities
9. Research Design, Analysis & Utilization
10. Clinical Supervision

TAP 21 Competencies & the 12 Core Functions are contained within the domains.
Process for Prevention Consultant Certification

In response to the ever increasing needs of our field, the NCSAPPB offers the Certified Substance Abuse Prevention Consultant credential. This credential is offered to those persons whose primary responsibilities are to provide prevention/education, alternative activities, community organization/networking and referral. Prevention Consultants may be either based in human service agencies or other appropriate settings.

Requirements

1. Three years full-time experience (6,000 hours) in the field or two years (4,000 hours) if applicant has a bachelor’s degree or higher in a human services field from a regionally accredited college or university.

2. 270 hours of board approved academic/didactic training divided in the following manner:
   a. 170 hours in the area of primary prevention and life skills training;
   b. 100 hours in substance abuse specific material which includes 12 hours in HIV training and 6 hours in professional prevention ethics training; and
   c. All hours must be in the current Performance Domains as defined by the IC&RC/AODA, Inc.

3. A minimum of 300 board approved practicum hours documented by a qualified alcohol, drug or substance abuse professional with at least 10 hours in each performance domain.

4. Evaluations from supervisor on this practicum and other supervisors’ evaluations of experience as well as two evaluations from colleagues/co-workers.

5. Successful completion of IC&RC/AODA, Inc. examination.

6. Signed statement confirming that applicant will abide by the Code of Ethical Conduct as defined by the Board and that applicant has been free of addictive use of alcohol and other drugs for a minimum of two years.

7. $38 SBI Background Check fee, $125 registration fee and $125 testing fee.

8. $25.00 application packet fee.

Renewal

In order to maintain uninterrupted certification, Prevention Consultants must take 60 hours of continuing education every two years and maintain proper documentation of such training. Thirty (30) hours must be substance abuse specific with three (3) in HIV/AIDS/STD/TB/Blood-borne pathogens, three (3) in professional ethics and three (3) hours of education to be selected from the list appearing in Rule 21 NCAC 68 .0205(2)(c)(i) through (v) for each re-certification. Anyone allowing certification to lapse beyond three months of the renewal due date will be required to reapply as a new applicant.

Following the first 4,000 hours of practice, supervision may be received in the ratio of one hour of supervision for every 80 hours of practice. All subsequent practice shall be performed at the rate of one hour of supervision for every 160 hours of practice (per 21 NCAC 68 .0208).

Renewal Fee: $125.00

NOTE: This certification offers reciprocity through the IC&RC/AODA, Inc.
Process for Residential Facility Director Certification

The Certified Substance Abuse Residential Facility Director certification is one that is obtained in addition to the Certified Substance Abuse Counselor or Licensed Clinical Addictions Specialist. A person must already be a certified or licensed clinician in order to obtain the residential facility director certification and clinical credentials must not lapse in order to maintain the RFD credential.

Requirements

1. 50 hours of NCSAPPB approved academic/didactic management specific training.
2. Positive recommendation of applicant’s current supervisor.
3. Positive recommendation of a colleague and co-worker of the applicant.
4. Registration/application fee of $125.00.
5. Certification fee of $125.00
6. $25.00 application packet fee.

NOTE: This certification is not a reciprocal-level credential through the IC&RC/AODA, Inc.

Renewal

In order to maintain uninterrupted certification, applicant must take ten (10) hours of continuing education every two years and maintain proper documentation of such training. Anyone allowing certification to lapse beyond three months of the renewal due date may be required to reapply as a new applicant.

Renewal Fee: $125.00
**Process for Clinical Supervisor Certification**

At its April 1993 meeting, the North Carolina Substance Abuse Professional Practice Board voted unanimously to institute the clinical supervisor credential. This is a specific aspect of staff development dealing with the clinical skills and competencies for persons providing supervision to clinical staff.

**Requirements**

1. Licensure as a Clinical Addictions Specialist (LCAS).

2. 8,000 hours (four years) of supervised clinical experience and a master’s degree in a human services field with a clinical application from a regionally accredited college or university (10,000 hours in order to be reciprocal through the IC&RC/AODA, Inc.).

3. 4,000 hours (two years) experience as a substance abuse clinical supervisor.

4. Thirty hours of substance abuse clinical supervision specific education/training for initial certification and 15 hours for recertification (which will occur every two years). These hours should be reflective of the Twelve Core Functions in their clinical application and practice must be reflective of the current Performance Domains as defined by the IC&RC/AODA, Inc. and may also be used as renewal hours for other certifications.

5. One letter of reference from the applicant’s current CCS supervisor.

6. Three letters of reference: one from a professional who can attest to supervisory competence and two from either counselors who have been supervised by the candidate or professionals who can attest to the applicant’s competence.

7. Successful completion of IC&RC/AODA, Inc. examination.

8. Payment of all fees. $25.00 should be submitted to the Board with a letter of intent in order to receive the application packet. $288.00 should be submitted to the Board when application packet is completed and mailed ($38 SBI Background Check fee, $125.00 registration fee and $125.00 test fee).

9. Recertification Fee — $125.00.

10. After January 1, 2003 all applicants for both the CSAC and the LCAS (except through a Deemed Status organization) must be supervised by a CCS or a Clinical Supervisor Intern. A Clinical Supervisor Intern (after January 1, 2003) is a LCAS who has submitted:

    a. an application
    b. resumé
    c. official copy of transcript documenting a completed master’s degree program in a human services field with a clinical application from a regionally accredited college or university
    d. signed Code of Ethical Conduct
    e. job description
    f. Criminal History Statement
    g. Disabilities Act Form
    h. completed fingerprint card with Authority for Release of Information form
    i. documentation of at least fifty percent (50%) of clinical supervision specific training as defined by the Board
    j. payment of fees — $38 SBI Background Check fee and $125 registration fee
11. Upon completion of this process, an applicant for Certified Clinical Supervisor will be designated a Clinical Supervisor Intern by the Board. An applicant then has three (3) years to complete the application process to obtain the Certified Clinical Supervisor credential. This includes:

   a. documentation of practice as a clinical supervisor as defined above
   b. letter of reference from current CCS supervisor verifying 4,000 hours of experience as a substance abuse clinical supervisor
   c. three (3) letters of reference from colleagues/co-workers, one of which must be from a person who was supervised by this applicant
   d. documentation of remainder of clinical supervision specific education/training hours
   e. payment of $125 test fee
   f. successful completion of IC&RC/AODA, Inc. examination

NOTE: This certification offers reciprocity through the IC&RC/AODA, Inc.
Process for Certified Criminal Justice Addictions Professional Credential

The Certified Criminal Justice Addictions Professional Credential (CCJP) is designed for addiction professionals who work in one of these three settings: law enforcement, the judiciary and/or corrections.

The CCJP credential, unlike the other clinical credentials of the Board, does not require an active caseload of clients.

Education

The education/training requirement is a total of 270 hours or 180 hours if the applicant has a master's degree or higher in a human services field from a regionally accredited college or university. Education is defined as formal, structured instruction in the form of workshops, seminars, institutes, in-services, college/university credit courses and distance learning. One hour of education/training is equal to 60 minutes of continuous instruction. Education/Training must be specifically related to the knowledge and skills necessary to perform the tasks within the IC&RC/AODA, Inc. Criminal Justice Addictions Professional performance domains as they relate to both adults and juveniles.

Performance Domains:
1. Dynamics of Addiction & Criminal Behavior
2. Legal, Ethical & Professional Responsibility
3. Criminal Justice System & Processes
4. Clinical Evaluation: Screening & Assessment
5. Treatment Planning
6. Case Management, Monitoring & Participant Supervision
7. Counseling
8. Documentation

Twelve hours of education/training must be in the HIV/AIDS/STD’s/TB/Blood-borne pathogens and six hours of education/training must be in professional ethics and responsibilities. All education/training must be documented.

Supervised Practical Training

Realizing that supervision may take place in a variety of settings and have many faces, the IC&RC AODA, Inc. determined not to place limiting criteria on areas of supervision. (A minimum of 10 hours supervision is required in each domain as part of the 300 hour supervised practicum.)

Supervised hours are to be face-to-face supervision received in the CCJP Performance Domains.

Experience

The experience requirement is 6,000 hours (three years) of supervised work experience for a Certified Criminal Justice Addictions Professional (CCJP). Supervised work experience is defined as a paid or voluntary professional experience providing direct service to individuals involved in the criminal justice system (e.g. law enforcement, judicial, corrections, probation/parole, etc.). Supervised work experience must be in the International Certification &
Reciprocity Consortium CCJP performance domains. Unsupervised work experience may NOT be substituted for the experience requirements and all experience must be documented. All supervised experiences for this certification must be provided by a Certified Clinical Supervisor or Clinical Supervisor Intern.

1. High School/GED — 6,000 hours (3-years) documented work experience in direct services in criminal justice/addictions services and obtained over the past 10 years.

2. AA/AS — 5,000 hours documented work experience in direct services in criminal justice/addictions services and obtained over the past 10 years.

3. BA/BS — 4,000 hours documented work experience in direct services in criminal justice/addictions services and obtained over the past 10 years.

4. MA/MS — 2,000 hours documented work experience in direct services in criminal justice/addictions services and obtained over the past 10 years or post degree if master’s is substance abuse specific.

5. Master’s Level with other advanced substance abuse specific credential (i.e. NBCC, CRCC, NASW, MAC, etc.) — 1,000 hours documented work experience in direct services in criminal justice/addictions services and obtained over the past 10 years.

**Examination**

The practice board requires all applicants to pass the IC&RC/AODA, Inc.’s CCJP international examination.

**Code of Ethical Conduct**

The applicant must sign the Board’s Code of Ethical Conduct and will abide by a specific criminal justice code of ethics.

**Renewal**

The renewal requirement is 40 hours of continuing education that must be earned every two years in the Certified Criminal Justice Addictions Professional (CCJP) performance domains. All applicants shall include three (3) hours of HIV/AIDS/STDS/TB/Bloodborne pathogens training and education, three (3) hours of professional ethics training and education and three (3) hours of education to be selected from the list appearing in Rule 21 NCAC 68.0205(2)(e) (i) through (v) for each re-credentialing. An Ongoing Practice Supervision form must also be completed by a CCS, CSI or LCAS stating that the CCJP will receive at least one (1) hour of supervision for every 40 hours of practice. Following the first 4,000 hours of practice, supervision may be received in the ratio of one hour of supervision for every 80 hours of practice. All subsequent practice shall be performed at the rate of one hour of supervision for every 160 hours of practice (per 21 NCAC 68.0208).
Credentialing Period

Credentialing is for a period of two (2) years after which renewal is necessary. Credentialing may be revoked as a result of conviction for a criminal offense as stated in this manual, willfully submitting false information to the Board or committing an act contrary to the Code of Ethical Conduct of the Board.

Process for Renewal

In an effort to maintain the highest quality standards, the Board requires that each credentialed professional receive continuing education to maintain credentialing. It is the responsibility of the individual to obtain Board approved education during the current credentialing period and maintain proper documentation of such education. A minimum of 50% must be substance abuse specific (SAS) with no more than 25% can be inservice education and no more than 50% in self-study courses (which must have been approved by the Board or an organization granted Deemed Status by the Board). For Residential Facility Directors, applicants must receive ten (10) hours of continuing education for this credentialing every two (2) years, half of which must be in administration and no more than 25% of which may be inservice.

In addition to education received from attending institutes, workshops, summer schools, etc., the Board also recognizes that counselors acquire valuable professional development by receiving clinical supervision and providing workshop presentations to others. Documentation of a minimum of sixty (60) hours of education is required for renewal (40 for Clinical Addictions Specialists, 15 for Clinical Supervisors, and 10 for Residential Facility Directors). This education may include a combination of hours including attending workshops, providing clinical supervision and providing workshops. These hours of education must occur within the current renewal period and must be submitted according to the following guidelines. If renewal hours are obtained between time of submission of application and end of renewal period, those hours may be counted toward next renewal. However, no hours may be held over for next renewal cycle if taken prior to submission of renewal application.

Renewal Educational Guidelines:

1. No more than 25% may be inservice education, received within your organization by staff of the same employment.
2. No more than 25% of workshop presentation with one (1) hour of presentation translating to 1 hour of education. Workshop presentation must be a part of a pre-Board approved event.
3. No more than 50% may be self-study.
4. The applicant will be required to include documentation of each event submitted (see Continuing Education Approval Policy).
5. All applications for recertification as a CSAC, CCJP or CSAPC must include three (3) hours of HIV/AIDS training/education, three (3) hours professional ethics training/education, and three hours of education to be selected from the list appearing in Rule 21 NCAC 68 .0205(2)(e)(i) through (v) for each re-credentialing.
6. All applications for re-credentialing as a LCAS must include six (6) hours of HIV/AIDS training/education and three (3) hours professional ethics training/education.
7. CSAC and CCJP applicants must submit an Ongoing Practice Supervision form from a CCS, CSI or LCAS verifying that ongoing supervision will be received. The required ratio of supervision can be found in 21 NCAC 68 .0208.
For renewal, a credentialed professional must submit the following:
1. A completed application form with continuing education documented.
2. $125.00 (non-refundable) renewal fee.

Advanced Level of Credentialing

The Board will continue its efforts in conjunction with the International Certification and Reciprocity Consortium/Alcohol & Other Drug Abuse (IC&RC/AODA) and other organizations, to develop other levels of certification.

Reciprocity

Reciprocity Into North Carolina (via the NCSAPPB):

Addiction professionals certified by an IC&RC member board as an AODA, AAODA, CPS or CCJP counselor who relocates to North Carolina may transfer their credential to North Carolina using the reciprocity process. In addition to making application for reciprocity via the IC&RC, one will be subject to a criminal background check before being granted reciprocity. There is a $38 fee associated with this background check and one must not have any recent or past criminal convictions that would make him/her ineligible for a credential. Additionally, a signed Code of Ethical Conduct must be completed. All AODA and CCJP counselors will also be required to submit an Ongoing Practice Supervision form before reciprocity will be granted to him/her.

To begin the reciprocity process, certified addiction professionals must contact their current credentialing board and request a reciprocity application. Upon completion of the reciprocity application by both the certified addiction professional and the current credentialing board, upon receipt of this information by NCSAPPB and the additional, required paperwork that is outlined above, the NCSAPPB will then issue the certified addiction professional the equivalent credential offered by the NCSAPPB.

**There is not automatic reciprocity for the CCS credential, however. Per North Carolina’s statute, a counselor must first possess the Licensed Clinical Addictions Specialist (LCAS) credential before being eligible to apply for the CCS credential. NC’s LCAS is equivalent to the IC&RC’s AAODA credential.

Reciprocity Out Of North Carolina (via the NCSAPPB):

Addiction professionals certified or licensed by NCSAPPB who relocate to another state, country or nation may transfer their credential to the new jurisdiction using the reciprocity process only if the new jurisdiction is an IC&RC member board. Reciprocity into a non-IC&RC member board is not permitted. Additional requirements may be imposed upon the certified addiction professional depending on the laws and regulations governing the practice of addiction related services in the new jurisdiction. Therefore, certified addiction professionals are strongly encouraged to contact the IC&RC member board in the new jurisdiction to determine if any additional requirements must be met.

To begin the reciprocity process, certified addiction professionals must contact the NCSAPPB and request a reciprocity application. Upon completion of the reciprocity application by both the certified addiction professional and the NCSAPPB, and upon receipt of this information by the certification board in the new jurisdiction, that Board will then issue the certified addiction professional the equivalent credential offered unless laws or regulations governing the practice of addiction related services in the new jurisdiction must first be met.
Residency

IC&RC/AODA, Inc. policy states that applicants for any reciprocal-level credentialing must live in and/or reside in the jurisdiction of the board where application is made at least fifty-one (51) percent of the time.

Continuing Education Approval Policy

The North Carolina Substance Abuse Professional Practice Board (NCSAPPB) approves educational events for professional credentialing in a manner similar to CEU certification given to a course through an accredited college or university. One (1) hour is defined as one (1) contact hour of participation in an organized continuing education experience under responsible sponsorship, capable direction and qualified instruction. (Continuing education used to meet the certification requirements must be reviewed and approved by the Board.) Approval may be requested by an individual applicant or by a sponsor/presenter. If the sponsor does not obtain credit from the Board, the individual participants will be responsible for supplying all of the required information for each session at the time of request for credentialing or renewal. The Standards Committee will review requests once monthly. Submission of approval requests should be postmarked 45 days prior to opening day of the event.

I. General Guidelines

The following guidelines apply to each type of approval request for obtaining credit for didactic/academic hours for courses, curricula, training events held January 1, 1987, or thereafter:

Please include all of the following required information:

1. Title of course, date(s), location, sponsor (individual, organization), whether it will be held only once or recurring.
2. Presenter(s) — (attach resume outlining expertise in subject area and content of session).
3. Brief but thorough description of contents of track, course, etc. and type of credit hours being requested (substance abuse specific or general skill building).
4. Agenda — breakdown of time including a 15 minute break for every two hours of education and amount of time allowed for meals.
5. Application for training approval must include a copy of the objective evaluation tool to be used.
6. A summary of evaluations must be submitted to the board within 45 days following the program date(s).
7. The Board reserves the right to randomly review programs by sending a board member/designee to monitor the event or a portion of the event at no cost. When fulfilling this quality assurance role, the designated person will present a letter of introduction to the presenter from the Board.
8. Hours may be awarded only for actual hours attended.
9. Certificates are not to be released until the event ends and must be modified to reflect actual hours completed.
10. Providers of NCSAPPB approved events are required to document attendance at individual events for schools, courses, curriculums and conferences.
11. Event sponsors must maintain attendance and evaluation records for no less than three (3) years.
12. Training approved by IC&RC/AODA, Inc. member boards and organizations granted Deemed Status by the Board will be accepted with appropriate documentation of completion.
13. Self-study courses (i.e.: home study, distance learning, etc.) must be approved by the Board.
Employer Inservice events must meet the same requirements as above. Inservice definition: Any event provided in the applicant’s organization by a person under the same employment as the applicant (military employment is considered within the same department). Education received within the organization by outside trainers is not considered inservice.

Credit will not be given for the following:

1. Banquet speakers (unless content meets above requirements)
2. Presentation of one’s own case presentations
3. Registration time

*The Board has the right to revise or rescind credit hours if information is received documenting that a previously approved event was not presented as it was approved.

Definitions

Education  Formal classroom education, workshops, seminars, institutes, inservices and college/university work. Such education must be related to the knowledge and skill base associated with the core functions and core competencies. All education must be documented.

Substance Abuse Specific  Education which directly addresses content focused upon alcohol and other drugs and the substance abusing population and is provided for substance abuse professionals by one whose expertise is in the field of alcohol and other drugs.

General Skill Building  Education provided to enhance general skills of substance abuse professionals provided by an individual who may or may not be a substance abuse professional.

II. Sponsor Guidelines

1. Sponsors/presenters should submit requests for approval prior to the event and should allow the Board 45 days for review and approval.
2. All official approvals from the Board will be in writing and shall include the event approval number.
3. Sponsors are responsible for providing a certificate of attendance which includes the approval number and number of approved continuing education hours and any subdivision of those hours (i.e.: HIV training, ethics training, etc.).
4. Any event given on a recurring basis (e.g. college courses) can be given approval on a yearly basis. Renewal of credit approval will be based on submission of a new application. Any changes in content, method or instructors must be submitted for review and approval in order to maintain prior approval. When changes have been made in content, method or agenda the fee will be the same as for a new event.
5. Fees for review and approval of events:

<table>
<thead>
<tr>
<th>Hours of Instruction</th>
<th>Fee</th>
</tr>
</thead>
<tbody>
<tr>
<td>1 – 10 hours</td>
<td>$25.00</td>
</tr>
<tr>
<td>11 – 20 hours</td>
<td>$50.00</td>
</tr>
<tr>
<td>21 – 30 hours</td>
<td>$75.00</td>
</tr>
<tr>
<td>31 – 40 hours</td>
<td>$100.00</td>
</tr>
<tr>
<td>41 – 50 hours</td>
<td>$125.00</td>
</tr>
<tr>
<td>50 – 100 hours</td>
<td>$150.00</td>
</tr>
<tr>
<td>Above 100</td>
<td>Special Review Fee not to exceed $300.00</td>
</tr>
</tbody>
</table>
III. Procedures for Approval of Self-Study Courses

1. Self-study courses may be submitted for approval by the vendor.

2. A copy of all documents including test and documentation of completion is required to be submitted with the application.

3. A fee of $150.00 is required for each course. Approval is for one year from date Board approves application.

4. At the end of the year for which the course is approved, a list of all N.C. applicants enrolling for the training with completion outcome will be submitted to the Board.

5. No more than 50% for credentialing and renewal may be completed through self-study programs.

6. Self-study courses may not be repeated for credit within one renewal cycle.

IV. Applicant Guidelines

1. Continuing Education approved after 1-1-85 require only the event approval number and proper documentation of attendance which includes: Certificate of attendance, training cards/sheets signed by a sponsor/presenter, a letter documenting attendance by a fellow participant who then can document his/her own attendance.

   The following are improper documents and will not be accepted: Canceled checks, receipts, letters from supervisors who were non-participants in the course, program schedules.

   If the sponsor failed to obtain approval for an event, the applicant is responsible for supplying the required information for each session (see I. General Guidelines).

2. Guidelines for obtaining credit for didactic/academic hours of course, curricula, events held prior to 1-1-85:
   a. The Board will accept education previously approved by the former N.C. Alcoholism Certification Board and N.C. Drug Abuse Professional Certification Board.
   b. Events held between 1/80 and 12/84 must include all of the information outlined above in I. General Guidelines, except the resume of the presenter.
   c. Events held prior to 1/80 can be approved if a thorough description of the material, method, number of hours and presenter’s name is provided by the applicant.

3. It is the responsibility of the individual applicant to put together a package of hours in accordance with criteria contained herein. Continuing education must be within the two (2) years immediately prior to request for renewal. There is no time frame on the remaining required hours for credentialing.

4. Events listed on the Continuing Education Record must be in chronological order, starting with education first received. Documentation of attendance and credit hours for education listed must be in the same order and numbered to correspond to the events listed. Inservice must be identified as such.

If a page is received not in accordance with the above, it will be returned to the applicant.

Request for approval should be mailed to: NCSAPPB
P.O. Box 10126
Raleigh, North Carolina 27605
Chapter 90

North Carolina Substance Abuse Professional Practice Act.


The North Carolina Substance Abuse Professional Practice Board, established by G.S. 90-113.32, is recognized as the registering, certifying, and licensing authority for substance abuse professionals described in this Article in order to safeguard the public health, safety, and welfare, to protect the public from being harmed by unqualified persons, to assure the highest degree of professional care and conduct on the part of credentialed substance abuse professionals, to provide for the establishment of standards for the education of credentialed substance abuse professionals, and to ensure the availability of credentialed substance abuse professional services of high quality to persons in need of these services. It is the purpose of this Article to provide for the regulation of Board-credentialed persons offering substance abuse counseling services, substance abuse prevention services, or any other substance abuse services for which the Board may grant registration, certification, or licensure. (1993 (Reg. Sess., 1994), c. 685, s. 1; 1997-492, s. 1; 2005-431, s. 1.)


§ 90-113.31A. Definitions.

The following definitions shall apply in this Article:

1. Applicant. – A person who has initiated a process to become a substance abuse professional pursuant to this Article.
2. Applicant supervisor. – A person who provides supervision as required by the Board to persons applying for registration, certification, or licensure as a substance abuse professional pursuant to this Article.
4. Certified clinical supervisor. – A person certified by the Board to practice as a clinical supervisor in accordance with the provisions of this Article.
5. Certified criminal justice addictions professional. – A person certified by the Board to practice as a criminal justice addictions professional who, under supervision, provides direct services to clients or offenders exhibiting substance abuse disorders and works in a program determined by the Board to be involved in a criminal justice setting.
6. Certified substance abuse counselor. – A person certified by the Board to practice under the supervision of a practice supervisor as a substance abuse counselor in accordance with the provisions of this Article.
7. Certified substance abuse prevention consultant. – A person certified by the Board to practice substance abuse prevention in accordance with the provisions of this Article.
8. Certified substance abuse residential facility director. – A person certified by the Board to practice as a substance abuse residential facility director in accordance with the provisions of this Article.
10. Clinical supervisor intern. – A person designated by the Board to practice as a clinical supervisor under the supervision of a certified clinical supervisor for a period not to exceed three years without a showing of good cause in accordance with the provisions of this Article.
11. Counseling. – The utilization of special skills to assist individuals, families, or groups in achieving objectives, including the following:
   b. Examining attitudes and feelings.
c. Considering alternative solutions.

d. Decision making.

(12) Credential. – Any registration, certification, or license issued by the Board.

(13) Credentialing body. – A board that licenses, certifies, registers, or otherwise regulates a profession or practice.

(14) Criminal history. – A history of conviction of a State crime, whether a misdemeanor or felony, that bears on an applicant's fitness for licensure to practice substance abuse professional services. The crimes include the criminal offenses set forth in any of the following Articles of Chapter 14 of the General Statutes: Article 5, Counterfeiting and Issuing Monetary Substitutes; Article 5A, Endangering Executive and Legislative Officers; Article 6, Homicide; Article 7A, Rape and Other Sex Offenses; Article 8, Assaults; Article 10, Kidnapping and Abduction; Article 13, Malicious Injury or Damage by Use of Explosive or Incendiary Device or Material; Article 14, Burglary and Other Housebreakings; Article 15, Arson and Other Burnings; Article 16, Larceny; Article 17, Robbery; Article 18, Embezzlement; Article 19, False Pretenses and Cheats; Article 19A, Obtaining Property or Services by False or Fraudulent Use of Credit Device or Other Means; Article 19B, Financial Transaction Card Crime Act; Article 20, Frauds; Article 21, Forgerary; Article 26, Offenses Against Public Morality and Decency; Article 26A, Adult Establishments; Article 27, Prostitution; Article 28, Perjury; Article 29, Bribery; Article 31, Misconduct in Public Office; Article 35, Offenses Against the Public Peace; Article 36A, Riots and Civil Disorders; Article 39, Protection of Minors; Article 40, Protection of the Family; Article 59, Public Intoxication; and Article 60, Computer-Related Crime. The crimes also include possession or sale of drugs in violation of the North Carolina Controlled Substances Act in Article 5 of Chapter 90 of the General Statutes and alcohol-related offenses including sale to underage persons in violation of G.S. 18B-302 or driving while impaired in violation of G.S. 20-138.1 through G.S. 20-138.5.

(15) Deemed status. – Recognition by the Board of the credentials offered by a professional discipline whereby the individuals certified, licensed, or otherwise recognized by the discipline as having met the standards of a clinical addictions specialist may apply individually for licensure as a licensed clinical addictions specialist.

(16) Dual relationship. – A relationship in addition to the professional relationship with a person to whom the substance abuse professional delivers services in the Twelve Core Functions or the performance domains, both as defined in rules adopted by the Board, or as provided in a supervisory capacity. These relationships may result in grounds for disciplinary action.

(17) Human services field. – An area of study that focuses on the biological, psychological, behavioral, and social aspects of human welfare with focus on the direct services designed to improve it.

(18) Independent study. – Any course of study that is not traditional classroom-based that must be preapproved by the Board or any organization that has deemed status with the Board.

(19) Licensed clinical addictions specialist. – A person licensed by the Board to practice as a clinical addictions specialist in accordance with the provisions of this Article.

(20) Practice supervisor. – A certified clinical supervisor, clinical supervisor intern, or licensed clinical addictions specialist who provides oversight and
responsibility in a face-to-face capacity for each certified substance abuse counselor or criminal justice addictions professional.

(21) Prevention. – The reduction, delay, or avoidance of alcohol and of other drug use behavior. "Prevention" includes the promotion of positive environments and individual strengths that contribute to personal health and well-being over an entire life and the development of strategies that encourage individuals, families, and communities to take part in assessing and changing their lifestyles and environments.

(22) Professional discipline. – A field of study characterized by the technical, educational, and ethical standards of a profession.

(22a) Licensed clinical addictions specialist associate. – A registrant who successfully completes 300 hours of Board-approved supervised practical training in pursuit of licensure as a clinical addictions specialist.

(23) Registrant. – A person who completes all requirements to be registered with the Board and is supervised by a certified clinical supervisor or clinical supervisor intern.

(24) Substance abuse counseling. – The assessment, evaluation, and provision of counseling and therapeutic service to persons suffering from substance abuse or dependency.

(25) Substance abuse counselor intern. – A registrant who successfully completes 300 hours of Board-approved supervised practical training in pursuit of credentialing as a substance abuse counselor.

(26) Substance abuse professional. – A registrant, certified substance abuse counselor, substance abuse counselor intern, certified substance abuse prevention consultant, certified clinical supervisor, licensed clinical addictions specialist associate, licensed clinical addictions specialist, certified substance abuse residential facility director, clinical supervisor intern, or certified criminal justice addictions professional. (1993 (Reg. Sess., 1994), c. 685, s. 1; 1997-492, s. 2; 1999-164, s. 1; 1999-456, s. 24; 2001-370, s. 1; 2005-431, s. 1; 2008-130, s. 1.)

§ 90-113.31B. Scope of practice.

The scope of practice is the use by all substance abuse professionals and their ongoing supervisees of principles, methods, and procedures of the Twelve Core Functions or performance domains as prescribed by the International Certification and Reciprocity Consortium/Alcohol and Other Drug Abuse, Incorporated, and as limited by individual credential and supervisory requirements pursuant to this Article. Specifically, the scope of practice for each individual defined as a substance abuse professional under G.S. 90-113.31A is as follows:

(1) The practice of a certified substance abuse counselor consists of the Twelve Core Functions, including screening, intake, orientation, assessment, treatment planning, counseling, case management, crisis intervention, client education, report and record keeping, consultation with other professionals in regard to client treatment and services, and referral to treat addictive disorder or disease and help prevent relapse.

(2) The practice of a certified substance abuse prevention consultant is based on knowledge in the performance domains to prevent or reduce the conditions that place individuals at increased risk of developing addictive disorder or disease and help prevent relapse.

(3) The practice of a certified clinical supervisor is based on knowledge in the performance domains to supervise substance abuse professionals who work...
to treat, prevent, or reduce the conditions that place individuals at risk of developing addictive disorder or disease and help prevent relapse.

(4) The practice of a licensed clinical addictions specialist may be independent and consists of the Twelve Core Functions, including screening, intake, orientation, assessment, treatment planning, counseling, case management, crisis intervention, client education, report and record keeping, consultation with other professionals in regard to client treatment and services, referral to reduce the conditions that place individuals at risk of developing addictive disorder or disease with co-occurring disorders, and treatment for addictive disorder or disease. The licensed clinical addictions specialist may provide supervision to maintain a professional credential as defined by this Article.

(5) The practice of a certified substance abuse residential facility director is a voluntary credential and consists of the Twelve Core Functions, including screening, intake, orientation, assessment, treatment planning, counseling, case management, crisis intervention, client education, report and record keeping, consultation with professionals in regard to client treatment and services, referral to prevent or reduce the conditions that place individuals at increased risk of developing addictive disorder or disease, treatment for addictive disorder or disease, and the prevention of relapse as well as academic management training.

(6) The practice of a certified criminal justice addictions professional is based on knowledge in the performance domains of dynamics of addiction in criminal behavior; legal, ethical, and professional responsibility; criminal justice system and processes; screening, intake, and assessment; case management; monitoring; and client supervision and counseling to prevent or reduce the conditions that place individuals at increased risk of developing addictive disorder or disease, treat addictive disorder or disease, and help prevent relapse. (2005-431, s. 1.)

§ 90-113.32. Board; composition; voting.
(a) The Board is created as the authority to credential substance abuse professionals in North Carolina.
(b) Repealed by Session Laws 2008-130, s. 2, effective July 28, 2008.
(c) After the initial Board members' terms expire, the Board shall consist of the following members, all of whom shall reside in North Carolina, appointed or elected as follows:
(1) Eleven professionals credentialed pursuant to this Article and elected by the credentialed professionals, at least two of whom shall serve each of the four Division of Mental Health, Developmental Disabilities, and Substance Abuse Services regions of the State. Three members shall serve as members at large.
(2) Three members at large chosen from laypersons or other professional disciplines who have shown a special interest in the field of substance abuse, nominated by the Nominating and Elections Committee established by subsection (d) of this section and elected by the Board.
(3) Two members from the Department of Health and Human Services, appointed by the Chief of Community Policy Management of the Division of Mental Health, Developmental Disabilities, and Substance Abuse Services, at least one of whom administers substance abuse services.
(4) One member of the public at large appointed by the Governor.
(5) One member of the public at large appointed by the General Assembly upon the recommendation of the Speaker of the House of Representatives in accordance with G.S. 120-121 and one member of the public at large appointed by the General Assembly upon the recommendation of the President Pro Tempore of the Senate in accordance with G.S. 120-121.

(6) One member shall represent each of the professional disciplines granted deemed status under G.S. 90-113.41A. The member may be appointed by the professional discipline on or before a date set by the Board. If the professional discipline has at least one association in the State, the member shall be chosen from a list of nominees submitted to the association. The members appointed or elected under this subdivision shall be certified as substance abuse specialists by the professional discipline that the members represent.

No member of the General Assembly shall serve on the Board.

(c1) Every member of the Board shall have the right to vote on all matters before the Board, except for the President who shall vote only in case of a tie or when another member of the Board abstains on the question of whether the professional discipline the member represents shall retain its deemed status.

(d) The Board shall appoint five professionals from the field of substance abuse counseling and substance abuse prevention consulting to serve on the Nominating and Elections Committee. Of these five, at least three shall not be members of the Board. The Board shall appoint a member of the Nominating and Elections Committee to serve as chair. The Committee's purpose is to accept nominations from professionals certified or licensed by the Board to fill vacancies on the Board in membership categories prescribed by subdivisions (1) and (2) of subsection (c) of this section and to conduct the election of Board members. The Committee shall solicit nominations from all professionals it has certified or licensed under this Article when elected members' terms are due to expire. The certified or licensed professionals shall submit to the Committee all nominations beginning 90 days and ending 28 days before the election of new Board members. The Committee shall furnish all certified or licensed professionals with a ballot containing all the nominees for each elected Board member vacancy. In soliciting and making nominations for this process, the Committee shall give consideration to factors that promote representation on the Board by professionals certified or licensed by the Board. The Committee shall serve for a two-year term, its successors to be appointed for the same term by the Board.

(e) Members of the Board shall serve for four-year terms. No Board member shall serve for more than two consecutive terms, but a person who has been a member for two consecutive terms may be reappointed after being off the Board for a period of at least one year. When a vacancy occurs in an unexpired term, the Board shall, as soon as practicable, appoint temporary members to serve until the end of the unexpired terms. Time spent as a temporary member does not count in determining the limitation on consecutive terms.

(f) If a member becomes ineligible to serve on the Board for any reason, except when the member has committed an ethical violation that results in the suspension or revocation of the member's professional credentials, that member may fulfill the remainder of his or her term on the Board. (1993 (Reg. Sess., 1994), c. 685, s. 1; c. 773, s. 15.2(a), (b); 1997-443, s. 11A.118(a); 1997-492, s. 3; 1999-164, ss. 2-4; 2005-431, s. 1; 2008-130, ss. 2, 3.)

§ 90-113.33. Board; powers and duties.

The Board shall:

(1) Examine and determine the qualifications and fitness of applicants for certification and licensure to practice in this State.
(1a) Determine the qualifications and fitness of organizations applying for deemed status.

(2) Issue, renew, deny, suspend, or revoke licensure, certification, or registration to practice in this State or reprimand or otherwise discipline a license, certificate, or registration holder in this State.

(3) Deal with issues concerning reciprocity.

(4) Conduct investigations for the purpose of determining whether violations of this Article or grounds for disciplining exists.

(5) Employ and fix the compensation of personnel and legal counsel that the Board determines is necessary to carry out the provisions of this Article. The Board's employment of legal counsel is subject to the provisions of G.S. 114-2.3. The Board may purchase or rent necessary office space, equipment, and supplies.

(6) Conduct administrative hearings in accordance with Chapter 150B of the General Statutes when a "contested case", as defined in Chapter 150B, arises.

(7) Appoint from its own membership one or more members to act as representatives of the Board at any meeting in which it considers this representation is desirable.

(8) Establish fees for applications for examination, registration, certificates of certification, licensure, and renewal, and other services provided by the Board.

(9) Adopt any rules necessary to carry out the purpose of this Article and its duties and responsibilities pursuant to this Article, including rules related to the approval of a substance abuse specialty curricula developed by a school, college, or university.

(10) Request that the Department of Justice conduct criminal history record checks of applicants for registration, certification, or licensure pursuant to G.S. 114-19.11A.

The powers and duties enumerated in this section are granted for the purposes of enabling the Board to safeguard the public health, safety, and welfare against unqualified or incompetent practitioners and are to be liberally construed to accomplish this objective. When the Board exercises its authority under this Article to discipline a person, it may, as part of the decision imposing the discipline, charge the costs of investigations and the hearing to the person disciplined. (1993 (Reg. Sess., 1994), c. 685, s. 1; 1997-492, s. 4; 1999-164, s. 5; 2001-370, ss. 2, 3; 2005-431, s. 1.)

§ 90-113.33A. Officers may administer oaths, and subpoena witnesses, records, and other materials.

The President or other presiding officer of the Board may administer oaths to all persons appearing before it as the Board may deem necessary to perform its duties, and may summon and issue subpoenas for the appearance of any witnesses deemed necessary to testify concerning any matter to be heard before or inquired into by the Board. The Board may order that any client records, documents, or other materials concerning any matter to be heard before or inquired into by the Board shall be produced before the Board or made available for inspection, notwithstanding any other provisions of law providing for the application of any counselor-client or physician-patient privilege with respect to such records, documents, or other materials. All records, documents, or other materials compiled by the Board are subject to the provisions of G.S. 90-113.34, except that in any proceeding before the Board, record of any hearing before the Board, and notice of charges against any person credentialed by the Board, the Board shall withhold from public disclosure the identity of a client, including information relating to dates and places of treatment, or any other information that tends to identify the client unless the client or the client's representative has expressly consented to the disclosure.
Upon written request, the Board shall revoke a subpoena if, upon a hearing, it finds that the
evidence sought does not relate to a matter in issue, the subpoena does not describe the
evidence with sufficient particularity, or the subpoena is invalid. (1999-164, s. 6; 2005-431, s. 1.)

§ 90-113.34. Records to be kept; copies of records.
   (a) The Board shall keep a regular record of its proceedings, together with the names of
       the members of the Board present, the names of the applicants for registration, certification,
       and licensure as well as other information relevant to its actions. The Board shall cause a record
       to be kept that shall show the name, last known place of business, last known place of
       residence, and date and number of the credential assigned to each substance abuse professional
       meeting the standards set forth in this Article. Any interested person in the State is entitled to
       obtain a copy of Board records upon application to the Board and payment of a reasonable
       charge that is based on the costs involved in providing the copy.
   (b) The Board may in a closed session receive evidence regarding the provision of
       substance abuse counseling or other treatment and services provided to a client who has not
       expressly or through implication consented to the public disclosure of such treatment as may be
       necessary for the protection of the rights of the client or of the accused registrant or substance
       abuse professional and the full presentation of relevant evidence. All records, papers, and other
       documents containing information collected and compiled by the Board, its members, or
       employees as a result of investigations, inquiries, or interviews conducted in connection with
       awarding a credential or a disciplinary matter shall not be considered public records within the
       meaning of Chapter 132 of the General Statutes, except any notice or statement of charges, or
       notice of hearing shall be a public record notwithstanding that it may contain information
       collected and compiled as a result of an investigation, inquiry, or interview. If any record,
       paper, or other document containing information collected and compiled by the Board as
       provided in this subsection is received and admitted in evidence in any hearing before the
       Board, it shall thereupon be a public record.
   (c) Notwithstanding any provision to the contrary, the Board may, in any proceeding,
       record of any hearing, and notice of charges, withhold from public disclosure the identity of a
       client who has not expressly or through implication consented to such disclosure of treatment
       by the accused substance abuse professional. (1993 (Reg. Sess., 1994), c. 685, s. 1; 1997-492,
       s. 5; 1999-164, s. 7; 2005-431, s. 1.)

§ 90-113.35. Disposition of funds.
   All fees and other moneys collected and received by the Board shall be used to implement
   this Article. The financial records of the Board shall be subjected to an annual audit and paid
   for out of the funds of the Board. (1993 (Reg. Sess., 1994), c. 685, s. 1.)

§ 90-113.36. Credentials.
   (a) The Board shall furnish a certificate of certification or licensure to each applicant
       successfully completing the requirements for his or her credential.
   (b) The Board may furnish a certificate of certification or licensure to any person in
       another state or territory if the individual's qualifications were, at the date of registration,
       certification, or licensure, substantially equal to the requirements under this Article. However,
       an out-of-state applicant shall first file application and pay any required fees. (1993 (Reg. Sess.,
       1994), c. 685, s. 1; 2005-431, s. 1.)


§ 90-113.37A. Renewal of credential; lapse.
(a) Every person credentialed pursuant to this Article who desires to maintain his or her credentials shall apply to the Board for a renewal of certification or licensure every other year and pay to the treasurer the prescribed fee.

(b) Renewal of licensure is subject to completion of at least 40 hours of the continuing education requirements established by the Board. Renewal of substance abuse counselor or substance abuse prevention consultant certification is subject to completion of at least 60 hours of the continuing education requirements established by the Board. A certified substance abuse counselor shall submit a Board-approved supervision contract signed by the applicant and a practice supervisor documenting ongoing supervision at a ratio of one hour of supervision to every 40 hours of practice after certification is granted by the Board on a form provided by the Board. Any person certified by the Board as a certified alcoholism counselor or certified drug abuse counselor shall become a certified substance abuse counselor.

A clinical supervisor shall complete at least 15 hours of substance abuse clinical supervision training prior to the certificate being renewed. A substance abuse residential facility director shall complete at least 10 hours of substance abuse training for renewal. A certified criminal justice addictions professional shall complete at least 40 hours of continuing education that must be earned in the certified criminal justice addictions professional performance domains. A certified criminal justice addictions professional shall submit a Board-approved supervision contract signed by the criminal justice addictions professional and a practice supervisor documenting ongoing supervision at a ratio of one hour of supervision to every 40 hours of practice after certification is granted by the Board on a form provided by the Board.

(c) Independent study hours shall compose no more than fifty percent (50%) of the total number of hours required for renewal.

(d) A credential that is not renewed automatically lapses, unless the Board approves the late renewal of a credential upon the payment of a late fee.

(e) No late renewal shall be granted more than five years after a certification or licensure expires.

(f) A suspended credential may be renewed as provided in this section. This renewal does not entitle the credentialed person to engage in conduct or activity in violation of the order or judgment by which the credential was suspended, until the credential is reinstated. If a credential revoked on disciplinary grounds is reinstated and requires renewal, the credentialed person shall pay the renewal fee and any applicable late fee.

(g) The Board shall establish the manner in which lapsed certification or licensure may be revived or extended. (1993 (Reg. Sess., 1994), c. 685, s. 1; 1997-492, s. 6; 1999-164, s. 8; 2005-431, s. 1.)

§ 90-113.38. Maximums for certain fees.

(a) The fee to obtain a certificate of certification as a substance abuse counselor, substance abuse prevention consultant, clinical supervisor, substance abuse residential facility director, or certified criminal justice addictions professional may not exceed four hundred seventy-five dollars ($475.00). The fee to renew a certificate may not exceed one hundred fifty dollars ($150.00).

(b) The fee to obtain a certificate of licensure for a clinical addictions specialist pursuant to deemed status shall not exceed one hundred fifty dollars ($150.00). The fee to renew a license for a clinical addictions specialist pursuant to deemed status shall not exceed one hundred dollars ($100.00). The fee to obtain a license for a clinical addictions specialist pursuant to all other procedures authorized by this Article shall not exceed four hundred seventy-five dollars ($475.00). The fee to renew the license shall not exceed one hundred fifty dollars ($150.00).
(b1) The fee to obtain a registration as a registrant shall not exceed one hundred fifty dollars ($150.00). The fee to renew a registration shall not exceed one hundred fifty dollars ($150.00).

(c) There shall be a reexamination fee of one hundred fifty dollars ($150.00) which shall be paid for each reexamination in addition to the fees authorized pursuant to subsection (a) of this section. There shall be a fee not to exceed twenty-five dollars ($25.00) for rescheduling any examination.

(d) There shall be a fee not to exceed twenty-five dollars ($25.00) to obtain a written verification or additional copy of a credential issued by the Board.

(e) There shall be a late renewal fee not to exceed one hundred twenty-five dollars ($125.00).

(f) In addition to any other prescribed fees, the Board shall charge a fee not to exceed one hundred fifty dollars ($150.00) for each administration of the test an applicant must pass to be credentialed as a United States Department of Transportation substance abuse professional. (1993 (Reg. Sess., 1994), c. 685, s. 1; 1997-492, s. 7; 1998-217, s. 25(a); 2001-370, s. 4; 2005-431, s. 1.)


The Board shall establish standards to credential substance abuse professionals. The credentialing standards of the International Certification and Reciprocity Consortium/Alcohol and Other Drug Abuse, Incorporated and the standards adopted by professional disciplines granted deemed status or their successor organizations may be used as guidelines for the Board's standards. The Board shall publish these required standards. (1993 (Reg. Sess., 1994), c. 685, s. 1; 1997-492, s. 8; 1999-164, s. 9; 2005-431, s. 1.)

§ 90-113.40. Requirements for certification and licensure.

(a) The Board shall issue a certificate certifying an applicant as a "Certified Substance Abuse Counselor" or as a "Certified Substance Abuse Prevention Consultant" if:

(1) The applicant is of good moral character.

(2) The applicant is not and has not engaged in any practice or conduct that would be grounds for disciplinary action under G.S. 90-113.44.

(3) The applicant is qualified for certification pursuant to the requirements of this Article and any rules adopted pursuant to it.

(4) The applicant has, at a minimum, a high school diploma or a high school equivalency certificate.

(5) The applicant has signed a form attesting to the intention to adhere fully to the ethical standards adopted by the Board.

(5a) The applicant submits to a complete criminal history record check pursuant to G.S. 90-113.46A.

(6) The applicant has completed 270 hours of Board-approved education. The Board may prescribe that a certain number of hours be in a course of study for substance abuse counseling and that a certain number of hours be in a course of study for substance abuse prevention consulting. Independent study hours shall not compose more than fifty percent (50%) of the total number of hours required for initial credentialing.

(7) The applicant has documented completion of a minimum of 300 hours of Supervised Practical Training, has provided a Board-approved supervision contract between the applicant and an applicant supervisor, and has been deemed recommended by the applicant supervisor to advance in the credentialing process.
(8) The applicant for substance abuse counselor has completed a total of 6,000 hours of supervised experience in the field, whether paid or volunteer. The applicant for substance abuse prevention consultant has completed a total of 6,000 hours supervised experience in the field, whether paid or volunteer, or 4,000 hours if the applicant has at least a bachelor's degree in a human services field from a regionally accredited college or university.

(9) The applicant has obtained a passing score on a written examination.

(b) The Board shall issue a certificate certifying an individual as a "Certified Clinical Supervisor" if the applicant:

1. Submits proof of designation by the Board as a clinical supervisor intern.
2. Submits proof that the applicant has a minimum of a master's degree in a human services field with a clinical application from a regionally accredited college or university.
3. Has 4,000 hours experience as a substance abuse clinical supervisor as documented by his or her certified clinical supervisor.
4. Has 30 hours of substance abuse clinical supervision specific education or training. These hours shall be reflective of the Twelve Core Functions in the applicant's clinical application and practice and may also be counted toward the applicant's renewal as a substance abuse counselor or a clinical addictions specialist.
5. Submits a letter of reference from a certified clinical supervisor who can attest to the applicant's supervisory competence and two letters of reference from either counselors who have been supervised by the applicant or professionals who can attest to the applicant's competence.
6. Obtains a passing score on a written examination administered by the Board.

(b1) The Board shall designate an applicant as a "Clinical Supervisor Intern" if, in addition to meeting the requirements of subdivisions (a)(1) through (5a) of this section, the applicant meets the following qualifications:

1. Submits an application, resume, and official transcript showing that the applicant has obtained a master's degree in a human services field with a clinical application from a regionally accredited college or university.
2. Submits verification statements.
3. Submits proof of credentialing as a licensed clinical addictions specialist.
4. Submits documentation establishing that the applicant has completed at least fifty percent of the required clinical supervision specific training hours as defined by the Board.

(c) The Board shall issue a license credentialing an applicant as a "Licensed Clinical Addictions Specialist" if, in addition to meeting the requirements of subdivisions (a)(1) through (5a) of this section, the applicant meets one of the following criteria:

1. Criteria A. – The applicant:
   a. Has a minimum of a master's degree with a clinical application in a human services field from a regionally accredited college or university.
   b. Has two years postgraduate supervised substance abuse counseling experience.
   c. Submits three letters of reference from licensed clinical addictions specialists or certified substance abuse counselors who have obtained master's degrees.
   d. Has achieved a passing score on a master's level written examination administered by the Board.
e. Has attained 180 hours of substance abuse specific training from either a regionally accredited college or university, which may include unlimited independent study, or from training events of which no more than fifty percent (50%) shall be in independent study. All hours shall be credited according to the standards set forth in G.S. 90-113.41A.

f. The applicant has documented completion of a minimum of 300 hours of supervised practical training and has provided a Board-approved supervision contract between the applicant and an applicant supervisor.

(2) Criteria B. – The applicant:

a. Has a minimum of a master's degree with a clinical application in a human services field from a regionally accredited college or university.

b. Has been certified as a substance abuse counselor.


d. Has achieved a passing score on a master's level written examination administered by the Board.

e. Submits three letters of reference from either licensed clinical addictions specialists or certified substance abuse counselors who have obtained master's degrees.

(3) Criteria C. – The applicant:

a. Has a minimum of a master's degree in a human services field with both a clinical application and a substance abuse specialty from a regionally accredited college or university that includes 180 hours of substance abuse specific education and training pursuant to G.S. 90-113.41A.

b. Has one year of postgraduate supervised substance abuse counseling experience.

c. Has achieved a passing score on a master's level written examination administered by the Board.

d. Submits three letters of reference from licensed clinical addictions specialists or certified substance abuse counselors who have obtained master's degrees.

(4) Criteria D. – The applicant has a substance abuse certification from a professional discipline that has been granted deemed status by the Board.

(d) The Board shall issue a certificate certifying an applicant as a "Substance Abuse Residential Facility Director" if the applicant:

(1) Has been credentialed as a substance abuse counselor or a clinical addictions specialist.

(2) Has 50 hours of Board approved academic or didactic management specific training or a combination thereof. Independent study may compose up to fifty percent (50%) of the total number of hours required for initial credentialing.

(3) Submits letters of reference from the applicant's current supervisor and a colleague or coworker.

(d1) The Board shall issue a certificate certifying an applicant as a "Certified Criminal Justice Addictions Professional", with the acronym "CCJP", if in addition to meeting the requirements of subdivisions (a)(1) through (5a) of this section, the applicant:

(1) Has attained 270 hours of Board-approved education or training, unless the applicant has attained a minimum of a masters degree with a clinical
application and a substance abuse specialty from a regionally accredited college or university whereby the applicant must only obtain 180 hours. The hours of education shall be specifically related to the knowledge and skills necessary to perform the tasks within the International Certification and Reciprocity Consortium/Alcohol and Other Drug Abuse, Incorporated, "IC&RC/AODA, Inc." criminal justice addictions professional performance domains as they relate to both adults and juveniles. Independent study may compose up to fifty percent (50%) of the total number of hours obtained for initial certification or renewal.

(2) Has documented 300 hours of Board-approved supervised practical training. This supervision shall mean the administrative, clinical, and evaluative process of monitoring, assessing, and enhancing professional performance. A minimum of 10 hours of supervision in each criminal justice domain established by the IC&RC/AODA, Inc., is required.

(3) Has provided documentation of supervised work experience providing direct service to clients or offenders involved in one of the three branches of the criminal justice system, which include law enforcement, the judiciary, and corrections. The applicant must meet one of the following criteria:

a. Criteria A. – In addition to having a high school degree or GED, the applicant has a minimum of 6,000 hours of documented work experience in direct services in criminal justice or addictions services or any combination of these services that have been obtained during the past 10 years.

b. Criteria B. – In addition to having an associate degree, the applicant has a minimum of 5,000 hours of documented work experience in direct services in criminal justice or addictions services or any combination of these services obtained during the past 10 years.

c. Criteria C. – In addition to having at least a bachelors degree, the applicant has a minimum of 4,000 hours of documented work experience in direct services in criminal justice or addictions services, or any combination of these services, and this experience has been obtained during the past 10 years.

d. Criteria D. – In addition to having at least a masters degree in a human services field, the applicant has a minimum of 2,000 hours of documented work experience in direct services in criminal justice or addictions services or any combination of these services that has been obtained during the past 10 years.

e. Criteria E. – In addition to having at least a masters degree in a human services field with a specialty from a regionally accredited college or university that includes 180 hours of substance abuse specific education or training, the applicant has a minimum of 2,000 hours of postgraduate supervised substance abuse counseling experience.

f. Criteria F. – In addition to having obtained the credential of a certified clinical addictions specialist or other advanced credential in a human services field from an organization that has obtained deemed status with the Board, the applicant has a minimum of 1,000 hours of documented work experience in direct services in criminal justice or addictions services that has been obtained during the past 10 years.
(4) Has passed the IC&RC/AODA, Inc., certified criminal justice addictions professional written examination.

(e) The Board shall publish from time to time information in order to provide specifics for potential applicants of an acceptable educational curriculum and the terms of acceptable supervised fieldwork experience.

(f) Effective January 1, 2003, only a person who is certified as a certified clinical supervisor or a clinical supervisor intern shall be qualified to supervise applicants for certified clinical supervisor and certified substance abuse counselor and applicants for licensed clinical addictions specialist who meet the qualifications of their credential other than through deemed status as provided in G.S. 90-113.40(c)(4). (1993 (Reg. Sess., 1994), c. 685, s. 1; 1997-492, s. 9; 1998-217, s. 10; 1999-164, s. 10; 2005-431, s. 1; 2008-130, s. 4.)

§ 90-113.40A. Requirements for registration.

(a) Upon application and payment of the required fee, the Board shall issue a registration designating an applicant as a registrant if the applicant:

(1) Provides documentation that he or she has received a high school diploma, or the equivalent, and evidence of any baccalaureate or advanced degrees the applicant has received.

(2) Completes a registration application on a form provided by the Board.

(3) Provides documentation of three hours of educational training in ethics.

(4) Signs a form attesting to the applicant's commitment to adhere to the ethical standards adopted by the Board.

(4a) Submits to a complete criminal history record check pursuant to G.S. 90-113.46A.

(5) Signs a supervision contract provided by the Board that documents the proposed supervision process by an applicant supervisor.

(b) Registrant status shall be maintained for a period of up to five years while the registrant is in the process of completing his or her requirements for credentials pursuant to this Article. If at the end of a five-year period a registrant has not obtained a credential under this Article, the Board shall renew the registration for up to an additional five-year period after the registrant pays the required fee and complies with all requirements for registration pursuant to G.S. 90-113.40A. The Board shall terminate the registration of any registrant who fails to renew his or her registration.

(c) The registrant shall notify the Board of any criminal conviction imposed during the period of registration. (2001-370, s. 5; 2005-431, s. 1.)

§ 90-113.40B. Applicant supervision.

The Board shall designate a person as an applicant supervisor of individuals applying for registration, certification, or licensure as a substance abuse professional as follows:

(1) A certified clinical supervisor shall supervise a clinical supervisor intern.

(2) A certified clinical supervisor or a clinical supervisor intern shall supervise a substance abuse residential facility director applicant, a clinical addictions specialist applicant, or a substance abuse counselor applicant.

(3) Repealed by Session Laws 2005-431, s. 1, effective September 22, 2005.

(4) A certified substance abuse prevention consultant with a minimum of three years of professional experience, a certified clinical supervisor, or a clinical supervisor intern shall supervise a registrant applying for certification as a prevention consultant.

(5) Pursuant to the deemed status procedure under G.S. 90-113.41A, the supervision requirements described in subdivisions (1) through (4) of this
section shall not apply to persons applying for licensure as a licensed clinical
addictions specialist.

(6) A criminal justice addictions professional applicant shall be supervised by a
certified clinical supervisor or clinical supervisor intern. (2001-370, s. 6;
2005-431, s. 1.)

§ 90-113.41. Examination.
   (a) Except for those individuals applying for licensure under G.S. 90-113.41A,
applicants for certification or licensure under this Article shall file an application at least 60
days prior to the date of examination and upon the forms and in the manner prescribed by the
Board. The application shall be accompanied by the appropriate fee. No portion of this fee is
refundable. Applicants who fail an examination may apply for reexamination upon the payment
of another examination fee.

   (b) Each applicant for certification or licensure under this Article shall be tested in an
examination developed by the International Certification and Reciprocity Consortium/Alcohol
and Other Drug Abuse, Incorporated and the standards adopted by professional disciplines
granted deemed status or their successor organizations.

   (c) Applicants for certification or licensure shall be examined at a time and place and
under the supervision that the Board determines. Examinations shall be given in this State at
least twice each year.

   (d) Applicants may obtain their examination scores and may review their examination
papers in accordance with rules the Board adopts and agreements between Board-authorized
test development companies. (1993 (Reg. Sess., 1994), c. 685, s. 1; 1997-492, s. 10; 1999-164,
s. 11; 2005-431, s. 1.)

§ 90-113.41A. Deemed status.
   (a) To be granted deemed status by the Board, a credentialing body of a professional
discipline or its designee shall demonstrate that its substance abuse credentialing program
substantially meets the following:

   (1) Each person to whom the credentialing body awards credentials following
the effective date of this act meets and maintains minimum requirements in
substance abuse specific content areas. Each person also has a minimum of a
master's degree with a clinical application in a human services field.

   (2) The body requires 180 hours, or the equivalent thereof, of substance abuse
specific education and training that covers the following content areas:
   a. Basic addiction and cross addiction Physiology and Pharmacology of
      Psychoactive drugs that are abused.
   b. Screening, assessment, and intake of clients.
   c. Individual, group, and family counseling.
   d. Treatment, planning, reporting, and record keeping.
   e. Crisis intervention.
   f. Case management and treatment resources.
   g. Ethics, legal issues, and confidentiality.
   h. Psychological, emotional, personality, and developmental issues.
   i. Co-occurring physical and mental disabilities.
   j. Special population issues, including age, gender, race, ethnicity, and
      health status.
   k. Traditions and philosophies of recovery treatment models and
      support groups.
The program requires one year or its equivalent of post-degree supervised clinical substance abuse practice. At least fifty percent (50%) of the practice shall consist of direct substance abuse clinical care.

(b) The professional discipline seeking deemed status shall require its members to adhere to a code of ethical conduct and shall enforce that code with disciplinary action.

(c) The Board may grant deemed status to any professional discipline that substantially meets the standards in this section. Once such status has been granted, an individual within the professional discipline may apply to the Board for the credential of licensed clinical addictions specialist.

(d) The Standards Committee of the Board shall review the standards of each professional discipline every third year from the date it was granted deemed status to determine if the discipline continues to substantially meet the requirements of this section. If the Committee finds that a professional discipline no longer meets the requirements of this section, it shall report its findings to the Board at the Board's next regularly scheduled meeting. The deemed status standing of a professional discipline's credential may be discontinued by a two-thirds vote of the Board. (1997-492, s. 11; 2005-431, s. 1.)

§ 90-113.41B. Change of name or address.

Every person licensed, certified, or registered under the provisions of this Article shall give written notice to the Board of any change in his or her name or address within 60 business days after the change takes place. (2001-370, s. 8; 2005-431, s. 1.)

§ 90-113.42. Violations; exemptions.

(a) It shall be unlawful for any person not licensed or otherwise credentialed as a substance abuse professional pursuant to this Article to engage in those activities set forth in the scope of practice of a substance abuse professional under G.S. 90-113.31B, unless that person is regulated by another profession or is a registrant or intern as defined by this Article.

(b) It is not the intent of this Article to regulate members of other regulated professions who provide substance abuse services or consultation in the normal course of the practice of their profession.

(c) This Article does not apply to any person registered, certified, or licensed by the State or federal government to practice any other occupation or profession while rendering substance abuse services or consultation in the performance of the occupation or profession for which the person is registered, certified, or licensed.

(d) Only individuals registered, certified, or licensed under this Article may use the title “Certified Substance Abuse Counselor”, “Certified Substance Abuse Prevention Consultant”, “Certified Clinical Supervisor”, “Certified Clinical Addictions Specialist”, “Certified Substance Abuse Residential Facility Director”, “Certified Criminal Justice Addictions Professional”, “Substance Abuse Counselor Intern”, “Licensed Clinical Addictions Specialist Associate”, “Clinical Supervisor Intern”, or “Registrant”. (1993 (Reg. Sess., 1994), c. 685, s. 1; 1997-492, s. 12; 2005-431, s. 1; 2008-130, s. 5.)

§ 90-113.43. Illegal practice; misdemeanor penalty.

(a) Except as otherwise authorized in this Article, no person shall:

(1) Offer substance abuse professional services, practice, attempt to practice, or supervise while holding himself or herself out to be a certified substance abuse counselor, certified substance abuse prevention consultant, certified clinical supervisor, licensed clinical addictions specialist, licensed clinical addictions specialist associate, certified substance abuse residential facility director, certified criminal justice addictions professional, clinical supervisor intern, substance abuse counselor intern, or registrant without...
first having obtained a notification of registration, certification, or licensure from the Board.

(2) Use in connection with any name any letters, words, numerical codes, or insignia indicating or implying that this person is a registrant, certified substance abuse counselor, certified substance abuse prevention consultant, certified clinical supervisor, licensed clinical addictions specialist, certified substance abuse residential facility director, substance abuse counselor intern, certified criminal justice addictions professional, or licensed clinical addictions specialist associate unless this person is registered, certified, or licensed pursuant to this Article.

(3) Practice or attempt to practice as a certified substance abuse counselor, certified substance abuse prevention consultant, certified clinical supervisor, licensed clinical addictions specialist, certified criminal justice addictions professional, substance abuse counselor intern, licensed clinical addictions specialist associate, clinical supervisor intern, certified substance abuse residential facility director or registrant with a revoked, lapsed, or suspended certification or license.

(4) Aid, abet, or assist any person to practice as a certified substance abuse counselor, certified substance abuse prevention consultant, certified criminal justice addictions professional, certified clinical supervisor, licensed clinical addictions specialist, certified substance abuse residential facility director, registrant, substance abuse counselor intern, licensed clinical addictions specialist associate, or clinical supervisor intern in violation of this Article.

(5) Knowingly serve in a position required by State law or rule or federal law or regulation to be filled by a registrant, certified substance abuse counselor, certified substance abuse prevention consultant, certified criminal justice addictions professional, certified clinical supervisor, licensed clinical addictions specialist, certified substance abuse residential facility director, substance abuse counselor intern, licensed clinical addictions specialist associate, or clinical supervisor intern unless that person is registered, certified, or licensed under this Article.


(7) Repealed by Session Laws 2008-130, s. 6, effective July 28, 2008.

(b) A person who engages in any of the illegal practices enumerated by this section is guilty of a Class 1 misdemeanor. Each act of unlawful practice constitutes a distinct and separate offense. (1993 (Reg. Sess., 1994), c. 685, s. 1; 1997-492, s. 13; 2005-431, s. 1; 2008-130, s. 6.)

§ 90-113.44. Grounds for disciplinary action.
(a) Grounds for disciplinary action for an applicant or credentialed professional include:

(1) The employment of fraud, deceit, or misrepresentation in obtaining or attempting to obtain licensure, certification, or registration or renewal of licensure, certification, or registration.

(2) The use of drugs or alcoholic beverages to the extent that professional competency is affected.

(2a) The use of drugs or alcoholic beverages to the extent that a substance abuse professional suffers impairment.

(3) Conviction of an offense under any municipal, State, or federal law other than traffic laws as prescribed by Chapter 20 of the General Statutes.
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(4) Conviction of a felony or other public offense involving moral turpitude. Conviction of a Class A-E felony shall result in an immediate suspension of licensure, certification, or registration for a minimum of one year.

(5) An adjudication of insanity or incompetency, until proof of recovery from this condition can be established by a licensed psychologist or psychiatrist.

(6) Engaging in any act or practice in violation of any of the provisions of this Article or any of the rules adopted pursuant to it, or aiding, abetting, or assisting any other person in such a violation.

(7) The commission of an act of malpractice, gross negligence, or incompetence while serving as a substance abuse professional, intern, or registrant.


(9) Engaging in conduct that could result in harm or injury to the public.

(10) Entering into a dual relationship that impairs professional judgment or increases the risk of exploitation with a client or supervisee.

(11) Practicing as a credentialed substance abuse professional outside of his or her scope of practice pursuant to G.S. 90-113.31B.

(b) Denial of an applicant's licensure, certification, or registration or the granting of licensure, certification, or registration on a probationary or other conditional status shall be subject to substantially the same rules and procedures prescribed by the Board for review and disciplinary actions against any person holding a license, certificate, or registration. A suspension of a credential resulting from impairment due to substance use, mental health, or medical disorder shall be imposed for at least six months beginning from the date of successful discharge from a residential substance abuse treatment program or other appropriate treatment modality determined as a result of an assessment by a Board-approved assessor. Disciplinary actions involving a clinical addictions specialist whose licensure is achieved through deemed status shall be initially heard by the specialist's credentialing body. The specialist may appeal the body's decision to the Board. The Board shall, however, have the discretionary authority to hear the initial disciplinary action involving a credentialed professional. (1993 (Reg. Sess., 1994), c. 685, s. 1; 1997-492, s. 15; 2005-431, s. 1.)

§ 90-113.45. Enjoining illegal practices.

(a) The Board may, if it finds that any person is violating any of the provisions of this Article or of the rules adopted pursuant to it, apply in its own name to the superior court for a temporary or permanent restraining order or injunction to restrain that person from continuing these illegal practices. The court may grant injunctive relief regardless of whether criminal prosecution or other action has been or may be instituted as a result of the violation. In the court's consideration of the issue of whether to grant or continue an injunction sought by the Board, a showing of conduct in violation of the terms of this Article shall be sufficient to meet any requirement of general North Carolina injunction law for irreparable damage.

(b) The venue for actions brought under this section is the superior court of any county in which the illegal acts are alleged to have been committed or in the county where the defendant resides. (1993 (Reg. Sess., 1994), c. 685, s. 1.)

§ 90-113.46. Application of requirements of Article.

All persons credentialed by the North Carolina Substance Abuse Professional Practice Board, Inc., as of July 1, 1994, shall be credentialed by the Board pursuant to this Article. All these persons are subject to all the other requirements of this Article and of the rules adopted pursuant to it. (1993 (Reg. Sess., 1994), c. 685, s. 1; 1997-492, s. 15; 2005-431, s. 1.)

§ 90-113.46A. Criminal history record checks of applicants for registration, certification, or licensure.
(a) All applicants for registration, certification, or licensure shall consent to a criminal history record check. Refusal to consent to a criminal history record check may constitute grounds for the Board to deny registration, certification, or licensure to an applicant. The Board shall ensure that the State and national criminal history of an applicant is checked. The Board shall be responsible for providing to the North Carolina Department of Justice the fingerprints of the applicant to be checked, a form signed by the applicant consenting to the criminal history record check and the use of fingerprints and other identifying information required by the State or National Repositories, the fee required by the Department of Justice for providing this service, and any additional information required by the Department of Justice. The Board shall keep all information obtained pursuant to this section confidential.

(b) If an applicant's criminal history record check reveals one or more convictions as defined in G.S. 90-113.31A(14), the conviction shall not automatically bar issuance of a credential by the Board to the applicant. The Board shall consider all of the following factors regarding the conviction:

1. The level of seriousness of the crime.
2. The date of the crime.
3. The age of the person at the time of the conviction.
4. The circumstances surrounding the commission of the crime, if known.
5. The nexus between the criminal conduct of the person and the job duties of the position to be filled.
6. The person's prison, jail, probation, parole, rehabilitation, and employment records since the date the crime was committed.
7. The subsequent commission by the person of a crime as defined in G.S. 90-113.31A(14).

If, after reviewing the factors, the Board determines that the grounds set forth in G.S. 90-113.44 exist, the Board may deny registration, certification, or licensure of the applicant. The Board may disclose to the applicant information contained in the criminal history record check that is relevant to the denial. The Board shall not provide a copy of the criminal history record check to the applicant. The applicant shall have the right to appear before the Board to appeal the Board's decision. However, an appearance before the full Board shall constitute an exhaustion of administrative remedies in accordance with Chapter 150B of the General Statutes.

(c) Limited Immunity. – The Board, its officers and employees, acting in good faith and in compliance with this section, shall be immune from civil liability for denying registration, certification, or licensure to an applicant based on information provided in the applicant's criminal history record check. (2005-431, s. 1.)

§ 90-113.47. Repealed by Session Laws 1999-199, s. 3.1.

§ 90-113.48. Reserved for future codification purposes.

§ 90-113.49. Reserved for future codification purposes.
## NORTH CAROLINA ADMINISTRATIVE CODE

### TITLE 21

**OCCUPATIONAL LICENSING BOARDS**

### CHAPTER 68

**CERTIFICATION BOARD FOR SUBSTANCE ABUSE PROFESSIONALS**

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CHAPTER 68 - SUBSTANCE ABUSE PROFESSIONAL PRACTICE BOARD

SECTION .0100 - GENERAL

21 NCAC 68 .0101 DEFINITIONS

As used in the General Statutes or this Chapter, the following terms have the following meaning:

1. "Applicant" means a person who submits documentation seeking Board status for registration or certification.

2. "Application packet" means a set of instructions and forms required by the Board for registration.

3. "Approved Supervisor" means a supervisor as set out in G.S. 90-113.31. This is a person who fulfills or is in the process of fulfilling the requirements for this Board designation pursuant to Rule .0211 of this Chapter by completing its academic, didactic and experiential requirements.

4. "Assessment" means identifying and evaluating an individual's strengths, weaknesses, problems and needs for the development of a treatment or service plan for alcohol, tobacco or drug abuse.

5. "Clinical Supervision" means clinical oversight required for all credentials with a minimum of 50 percent clinical supervision that shall accrue in person, face-to-face, while in the proximity of the same room whereas the balance of this requirement may be fulfilled electronically via video, face-to-face, if performed in real time.

6. "Clinical Supervision Specific Education" means training that directly covers the aspects of clinical supervision of a substance abuse professional or any of the 12 core functions in their clinical application.

7. "Client" means an individual who is in receipt of substance abuse counseling.

8. "Complainant" means a person who has filed a complaint pursuant to these Rules.

9. "Consultation" means a meeting for discussion, decision-making and planning with other service providers for the purpose of providing substance abuse services.

10. "Crisis" means a decisive, crucial event either directly or indirectly related to alcohol or drug use, in the course of treatment that threatens to compromise or destroy the rehabilitation effort.

11. "Deemed Status Group" means those persons who are credentialed as a clinical addictions specialist because of their membership in a deemed status discipline.

12. "Education" means a service which is designed to inform and teach various groups including clients, families, schools, businesses, churches, industries, civic and other community groups about the nature of substance abuse disorders and about available community resources. It also serves to improve the social functioning of recipients by increasing awareness of human behavior and providing alternative cognitive or behavioral responses to life's problems.

13. "Full Time" means 2,000 hours per year.

14. "General Professional Skill Building" means education provided to enhance general skills of a substance abuse professional.

15. "Hearing panel" means a body composed of members of a committee designated by the chairperson of the committee to conduct an informal hearing to determine that the applicant meets the standards required to be maintained for or awarded a credential.

16. "Impairment" means a mental illness, substance abuse or chemical dependency, physical illness, or aging problem.

17. "Letter of Reference" means a letter that recommends a person for certification.

18. "Membership In Good Standing" means a member's certification is not in a state of revocation, lapse, or suspension. However, an individual whose certification is suspended and the suspension is stayed is a member in good standing during the period of the stay.

19. "Passing score" means the score set by the entity administering the exam.

20. "Person served" means an individual who is not a client but is in receipt of substance abuse prevention counseling.

21. "Personal service" means the actual delivery of a document into the hands of the person to whom it is addressed.

22. "President" means the President of the Board.

23. "Prevention Consultation" means a service provided to other mental health, human service, and community planning/development organizations or to individual practitioners in other organizations to assist in the development of insights and skills of the practitioner necessary for prevention.

24. "Prevention performance domains" means areas of professional activities to include:
(a) planning and evaluations;
(b) education and skill development;
(c) community organization;
(d) public and organizational policy; and
(e) professional growth and responsibility.

(25) "Referral" means identifying the needs of an individual that cannot be met by the counselor or agency and assisting the individual in utilizing the support systems and community resources available.

(26) "Rehabilitation" means re-establishing the functioning needed for professional competency.

(27) "Reinstatement" means an action where the Board restores certification or registration to an applicant after the applicant completes the requirements imposed by the Board.

(28) "Relapse" means the return to the pattern of substance abuse as well as the process during which indicators appear prior to the person's resumption of substance abuse or a re-appearance or exacerbation of physical, psychological or emotional symptoms of impairment.

(29) "Renewal" means an action by the Board granting a substance abuse professional a consecutive certification or registration based upon the completion of requirements for renewal as prescribed by the Board.

(30) "Revival" means an action by the Board granting a substance abuse professional a certification or registration following a lapse of certification or registration wherein the professional must also meet the requirements for renewal as prescribed by the Board.

(31) "Reprimand" means a written warning from the Board to a person making application for certification by the Board or certified by the Board.

(32) "Respondent" means a person who is making application for certification by the Board or is certified by the Board against whom a complaint has been filed.

(33) "Sexual activity" means:
(a) Contact between the penis and the vulva or the penis and the anus;
(b) Contact between the mouth and the penis, the mouth and the vulva, or the mouth and the anus; or
(c) The penetration, however slight, of the anal or genital opening of another by a hand or finger or by any object with an intent to abuse, humiliate, harass, degrade, or arouse or gratify the sexual desire of any person.

(34) "Sexual contact" means any of the following actions:
(a) Vaginal intercourse, cunnilingus, fellatio, or anal intercourse, if initiated, agreed to, or not resisted by the substance abuse professional; or
(b) Kissing or the intentional touching of the other's lips, genital area, groin, inner thigh, buttocks, breasts, or any other body parts, as well as the clothing covering any of these body parts for the purpose of sexual stimulation or gratification of either the substance abuse professional or the client if initiated, agreed to, or not resisted by the substance abuse professional.

(35) "Substance Abuse Counseling Experience" means approved supervised experience that may be full time or part-time, paid or voluntary, and must include all of the 12 core functions (Rule .0204 of this Chapter) as documented by a job description and supervisor's evaluation.

(36) "Substance Abuse Prevention Consultant Experience" means approved supervised experience that may be full time or part-time, paid or voluntary, and must include all of the prevention domains referenced by Rule .0206 of this Chapter and as documented by a job description and supervisor's evaluation.

(37) "Substance Abuse Specific" means education focused upon alcohol and other drugs and the substance abusing population and is provided for a substance abuse professional by one whose education and experience is in the field of alcohol and other drugs.

(38) "Supervised Practice" means supervision of the applicant in the knowledge and skills related to substance abuse professionals.

(39) "Suspension" means a loss of certification or the privilege of making application for certification.

History Note: Authority G.S. 90-113.30; 90-113.33; 90-113.40; 90-113.41; 90-113.41A;
Eff. August 1, 1996;
Temporary Amendment Eff. November 15, 1997;
21 NCAC 68 .0102 BOARD MAILING ADDRESS

Unless otherwise directed, all correspondence shall be mailed to the following address:
North Carolina Substance Abuse
Professional Certification Board
P.O. Box 10126
Raleigh, NC 27605.

History Note: Authority G.S. 90-113.30; 90-113.33;
Eff. August 1, 1996;

SECTION .0200 - CERTIFICATION

21 NCAC 68 .0201 APPLICATION FOR REGISTRATION

(a) Applications, inquiries and forms shall be obtained from and returned to the Board.
(b) To obtain an application packet, the applicant shall submit a check or money order for a non-refundable fee in the amount of twenty-five dollars ($25.00) and a letter of intent stating the credential sought by the applicant.

History Note: Authority G.S. 90-113.30; 90-113.33; 90-113.38; 90-113.39; 90-113.40;
Eff. August 1, 1996;
Amended Eff. August 1, 2002.

21 NCAC 68 .0202 REGISTRATION PROCESS FOR BOARD CREDENTIAL

(a) Individuals shall register with the Board prior to providing professional services. This allows the Board to review the applicant's materials including education, training, experience and supervision contracts and provide the applicant with an understanding of his or her standing in the credentialing process.
(b) To register, the applicant shall send the following to the Board:
   (1) Completed registration form provided by the Board;
   (2) Documentation of the degree required for a credential;
   (3) A signed supervision contract on a form provided by the Board documenting the proposed supervision process by an applicant supervisor;
   (4) A signed form attesting to the applicant's promise to adhere to the ethical standards of the Board;
   (5) Documentation of three hours of educational training in ethics;
   (6) Completed criminal history record check;
   (7) Job description evidencing applicant is practicing under the scope of practice for the credential sought;
   (8) Current resume;
   (9) Completed special needs statement revealing special testing needs on a form provided by the Board if applicable; and
   (10) A check or money order in the amount as set in Rule .0205 that is non-refundable and made payable to the Board.
(c) Once the materials are determined by the Board to be in order the applicant shall be granted registration status.
(d) Registration with the Board shall be for a period as set out in G.S. 90-113.40A.
(e) An applicant shall become a Registrant upon receipt of written notification from the Board.

History Note: Authority G.S. 90-113.30; 90-113.33; 90-113.38; 90-113.39; 90-113.40; 90-113.46A;
Eff. August 1, 1996;
Amended Eff. January 1, 2010; April 1, 2003; August 1, 2002.

21 NCAC 68 .0203 DESIGNATION AS SUBSTANCE ABUSE COUNSELOR INTERN

(a) An applicant may by-pass early registration at the entry level and seek designation as a Counselor Intern.
(b) To be designated as a Substance Abuse Counselor Intern, a counselor shall submit and successfully complete the following:
   (1) A registration form provided by the Board;
(2) Documentation provided by the Board verifying the successful completion of 300 hours of Supervised Practice;
(3) Successful completion of the written examination developed by the IC&RC/AODA, Inc. or its successor organization; and
(4) Payment of a non-refundable, one hundred twenty-five dollar ($125.00) written exam fee plus a one hundred twenty-five dollar ($125.00) registration fee if not already registered with the Board.

(c) Upon the failure of an applicant to achieve a passing score, the applicant may request a reexamination and pay a non-refundable reexamination fee of one hundred fifty dollars ($150.00) after a period of three months from the date of the failed test.

(d) Once an individual has been designated as a Substance Abuse Counselor Intern, he or she may function as a counselor intern under an approved supervisor at a ratio of one hour of supervision for every 40 hours of practice.

History Note: Authority G.S. 90-113.30; 90-113.33; 90-113.34; 90-113.38; 90-113.39; 90-113.40; 90-113.41;
Eff. August 1, 1996;
Amended Eff. August 1, 2002; August 1, 2000.

21 NCAC 68 .0204 SUPERVISED PRACTICUM FOR CERTIFIED SUBSTANCE ABUSE COUNSELOR AND LICENSED CLINICAL ADDICTIONS SPECIALIST

(a) All applicants for the certified substance abuse counselor or the clinical addictions specialist credential shall complete a 300 hour practicum supervised by an applicant supervisor and the practicum shall cover all core functions of counseling. Verification of at least ten hours of this practicum shall be made in each of the core functions of this Rule. These 120 hours of the practicum shall be divided into one hour of supervision for every 10 hours of practice in each one of the 12 core functions. These core functions are:

1. Screening to determine a client is appropriate and eligible for admission to a particular program;
2. Intake to provide the administrative and initial assessment procedures for admission to a program;
3. Orientation of the client to the general nature and goals of the program, rules governing client conduct, notice of the hours during which services are available, treatment costs to be borne by the client, if any, and client's rights;
4. An assessment to identify and evaluate for the purpose of the development of a treatment plan an individual's strengths, weaknesses, problems and needs;
5. The treatment planning process whereby the counselor and client identify and rank problems needing resolution, establish agreed upon immediate and long term goals, and decide on a treatment process and the resources to be utilized;
6. Counseling to assist individuals, families, or groups in achieving goals through exploration of a problem and its ramifications, examination of attitudes and feelings, consideration of alternative solutions, and making decisions;
7. Case management activities which bring services, agencies, resources or people together within a planned framework of action toward the achievement of established goals;
8. Providing those crisis intervention services which respond to an alcohol or other drug abuser's needs during acute emotional and physical distress;
9. Provision of client education information to individuals and groups describing alcohol and other drug abuse and the available services and resources;
10. Referring the client whose needs cannot be met by the counselor or agency to other support systems and community resources available;
11. Charting the results of the assessment and treatment plan while writing reports, progress notes, discharge summaries and other client-related data necessary for the compilation of necessary reports and recordkeeping; and
12. Consultation with substance abuse and other professionals to assure comprehensive, quality care for the client.

(b) The remaining 180 hours of this practicum shall be in the core function areas.

(c) Upon completion of the 300 hours, the supervisor shall complete an evaluation form reviewing the certified substance abuse counselor or clinical addictions specialist professional development and provide it to the Board, documenting the 300 hours of practice, including 30 hours of supervision on a form provided by the Board.

(d) Pursuant to G.S. 90-113.40(a)(7), the practicum may be completed as part of an academic course of study in a regionally accredited college or university or it may be developed in the work setting as long as it is supervised by an applicant supervisor.
(e) Pursuant to G.S. 90-113.40(c)(1), the 300 hours of practical training provided by an applicant supervisor shall be completed as part of the required two years postgraduate supervised substance abuse counseling experience.

History Note: Authority G.S. 90-113.30; 90-113.31; 90-113.33; 90-113.34; 90-113.39; 90-113.40; 
Eff. August 1, 1996; 
Amended Eff. June 1, 2011; April 1, 2011; January 1, 2010; August 1, 2002.

21 NCAC 68 .0205 CERTIFIED SUBSTANCE ABUSE COUNSELOR CERTIFICATION
Requirements for certification as a Certified Substance Abuse Counselor shall be as follows:

(1) Successful completion of paid or volunteer supervised experience earned in not less than three years, as set out in G.S. 90-113.40(a). If the work setting is not exclusively substance abuse focused, the applicant may accumulate experience proportional to the substance abuse services performed;

(2) Board approved education and training of at least 270 clock hours as follows:
   (a) Substance Abuse Specific (SAS) education and training in the amount of at least 190 hours;
   (b) Up to 80 hours may be directed toward general professional skill building to enhance counselor development;
   (c) No more than 25% of the 270 hours (67.5) hours may be in-service education received within the applicant's organization by staff of the same organization;
   (d) The 190 Substance Abuse Specific clock hours needed for initial certification must be in the core competencies. Core competencies are listed as follow:
      (i) Basic alcoholism and drug addiction knowledge;
      (ii) Screening, intake, orientation and assessment;
      (iii) Individual, group and family counseling and intervention techniques;
      (iv) Case management, treatment planning, reporting and record keeping;
      (v) Crisis intervention skills;
      (vi) Prevention and education;
      (vii) Consultation, referral and networking that utilizes community resources;
      (viii) Ethics, legal issues, and confidentiality;
      (ix) Special populations which include but are not limited to individuals or groups with specific ethnic, cultural, sexual orientation, and gender characteristics as well as persons dealing with HIV, co-occurring disabilities, persons with criminal justice related issues and perinatal issues:
      (x) Physiology and pharmacology of alcohol and other drugs that include the licit and illicit drugs, inhalants and nicotine;
      (xi) Psychological, emotional, personality and developmental issues; and
      (xii) Traditions and philosophies of 12-step and other recovery support groups;
   (e) Of the 270 clock hours, applicants for certification as a Substance Abuse Professional must document six hours of HIV/AIDS/STDS/TB/Bloodborne pathogens training and education, six hours professional ethics education, and six hours of education to be selected from the following:
      (i) Nicotine Dependence;
      (ii) Psychopathology;
      (iii) Evidence-Based Treatment Approaches;
      (iv) Substance Abuse Issues In Older Adults; and
      (v) Substance Abuse Issues Affecting Veterans;

(3) A one hundred twenty-five dollar ($125.00) written exam fee and a one hundred twenty-five dollar ($125.00) non-refundable registration fee, unless previously paid. The applicant may request a reexamination and pay a non-refundable reexamination fee as set out in G.S. 90-113.38(c) for the written exam if a passing score is not achieved and at least three months have passed from the date of failed test;

(4) Successful completion of the IC&RC/AODA, Inc. or its successor organization written exam;

(5) Completed evaluation forms and contracts for supervision. These forms must be mailed directly to the Board by three references: a supervisor, co-worker, and colleague;

(6) A signed form attesting to the applicant's adherence to the Ethical Standards of the Board;

(7) Documentation of high school graduation, completion of GED, baccalaureate or advanced degree;

(8) Completed registration forms;
(9) Resume; and
(10) Job description that verifies job function.

History Note: Authority G.S. 90-113.30; 90-113.31; 90-113.33; 90-113.36; 90-113.39; 90-113.40;
Eff. August 1, 1996;
Amended Eff. January 1, 2010; August 1, 2002; August 1, 2000.

21 NCAC 68.0206 PROCESS FOR PREVENTION CONSULTANT CERTIFICATION
(a) Prevention consultant certification shall be offered to those persons whose primary responsibilities are to provide substance abuse information and education, environmental approaches, alternative activities, community organization, networking, and referral.
(b) Requirements for certification shall be as follows:
(1) 10,000 hours (five years) work experience in prevention consultation obtained in a minimum of 60 months without a baccalaureate degree or 4,000 hours (two years) work experience in prevention consultation obtained in a minimum of 24 months with a baccalaureate degree in a human services field from a regionally accredited college or university;
(2) 270 hours of academic and didactic training divided in the following manner:
   (A) 170 hours primary and secondary prevention and in the prevention performance domains; and
   (B) 100 hours in substance abuse specific studies, which includes 12 hours in HIV/AIDS/STDS/TB/Bloodborne pathogens training and six hours in prevention specific ethics training;
(3) A minimum of 300 supervised practice hours documented by a certified substance abuse professional;
(4) Evaluations from a supervisor on this practice as well as two evaluations from colleagues or co-workers;
(5) Successful completion of an IC&RC/AODA, Inc. or its successor organization written examination;
(6) A form signed by the applicant attesting to the applicant's adherence to the Ethical Standards of the Board;
(7) An application packet fee of twenty-five dollars ($25.00), a registration fee of one hundred twenty-five dollars ($125.00), and an examination fee of one hundred twenty-five dollars ($125.00).

History Note: Authority G.S. 90-113.30; 90-113.37; 90-113.33;
Eff. August 1, 1996;
Amended Eff. August 1, 2002; April 1, 2001; August 1, 2000.

21 NCAC 68.0207 CERTIFICATION OR LICENSURE PERIOD
Certification or licensure is for a period of two years after which re-credentialing is necessary.

History Note: Authority G.S. 90-113.30; 90-113.37; 90-113.33;
Eff. August 1, 1996;

21 NCAC 68.0208 CONTINUING EDUCATION REQUIRED FOR COUNSELOR, CRIMINAL JUSTICE ADDICTIONS PROFESSIONAL AND PREVENTION CONSULTANT RE-CREDENTIALING
(a) In order to be re-credited, a substance abuse professional shall:
(1) Comply with the following:
   (A) No more than 25 percent may be in-service education, received within your organization by staff of the same employment;
   (B) No more than 25 percent of workshop presentation with one hour of presentation translating to one hour of education. Workshop presentation shall be a part of an event pre-approved by the Board as set out in these Rules;
   (C) An applicant shall include documentation of each event submitted;
   (D) All applicants shall include three hours of HIV/AIDS/STDS/TB/Bloodborne pathogens training and education, three hours of professional ethics training and education and three
(2) Submit the following:

(A) A completed application form with continuing education documented;
(B) A non-refundable one hundred twenty-five dollar ($125.00) recertification fee; and
(C) A signed and dated statement that the applicant shall follow the substance abuse professional's code of conduct.

(b) Each credentialed counselor, criminal justice addictions professional and prevention consultant shall receive 60 hours of Board approved, as set out in these Rules, education during the current re-credentialing period that shall be documented. No more than 25 percent may be in-service education. A minimum of 30 hours shall be substance abuse specific (SAS). The education may include a combination of hours including attending and conducting workshops.

(c) To be re-credentialed, a criminal justice addictions professional and a certified substance abuse counselor shall submit a post-certification supervision contract signed by a practice supervisor and supervisee. The supervision required by this Rule shall be provided by the practice supervisor and set forth as follows:

(1) The first 4,000 hours of practice shall be performed at the rate of one hour of supervision for every 40 hours of practice;
(2) The second 4,000 hours of practice shall be performed at the rate of one hour of supervision for every 80 hours of practice;
(3) All subsequent practice shall be performed at the rate of one hour of supervision for every 160 hours of practice.

History Note: Authority G.S. 90-113.30; 90-113.33; 90-113.37; 90-113.38; 90-113.39; Eff. August 1, 1996; Amended Eff. June 1, 2011; April 1, 2011; January 1, 2010; April 1, 2003; August 1, 2002; August 1, 2000.

21 NCAC 68 .0209 RECIPROCITY

(a) If a Counselor, Prevention Consultant, Clinical Supervisor, or Clinical Addictions Specialist holds a certification issued by an IC&RC/AODA, Inc. member board or a successor organization as a certified substance abuse counselor (to include alcohol and other drugs), certified Prevention Consultant, certified Clinical Supervisor, or certified Clinical Addictions Specialist, the person may transfer this certification to North Carolina by applying a transfer fee as assessed by the IC&RC/AODA, Inc. or its successor organization.

(b) The reciprocal certification effective date shall remain the same as in the previous state.

(c) At the time when recertification is required, it will be the individual's responsibility to submit an application for recertification. For the period of the first recertification in North Carolina, the Board shall accept the member's former State recertification requirements for the purpose of reciprocal recertification. At the end of this recertification period, it shall be the individual's responsibility to conform to the recertification requirements of North Carolina in effect at the time of recertification.

History Note: Authority G. S. 90-113.30; 90-113.33; 90-113.37; 90-113.38; Eff. August 1, 1996; Amended Eff. August 1, 2000.

21 NCAC 68 .0210 CONVERSION


21 NCAC 68 .0211 PROCESS FOR CLINICAL SUPERVISOR CERTIFICATION

In order to be certified as a Clinical Supervisor an applicant shall:

(1) Obtain and maintain a license as a Clinical Addictions Specialist to be eligible for Clinical Supervisor Certification;
(2) Hold a master's or higher degree in a human services field with a clinical application from a regionally accredited college or university;
(3) Submit documentation signed by the Certified Clinical Supervisor of 4000 hours or two years full-time experience as a Substance Abuse Clinical Supervisor, supervised in a ratio of one hour supervision for every 80 hours of practice in the field of alcohol and other drug abuse;

(4) Submit documentation of 30 hours of clinical supervision specific education for initial certification and 15 hours of clinical supervision specific education for re-certification (which will occur every two years). These hours shall be reflective of clinical supervision or clinical supervision of the twelve core functions or performance domains in their clinical application and practice and may also be used as re-credentialing hours for Clinical Addictions Specialist. For the purpose of re-certification as a Clinical Supervisor, 25 percent of the required total hours may be obtained by providing supervision of a Criminal Justice Addictions Professional, Prevention Consultant, Substance Abuse Counselor or Clinical Addictions Specialist;

(5) Submit three letters of reference. One from a substance abuse professional who can attest to supervisory competence and two from either substance abuse counselors who have been supervised by the candidate or substance abuse professionals who can attest to the applicant's competence;

(6) Successfully complete an IC&RC/AODA, Inc. or its successor organization's written examination;

(7) Pay all application fees. A fee of twenty-five dollars ($25.00) shall be submitted to the Board with a letter of intent in order to receive the application packet. Also, an applicant shall submit with a completed registration packet a registration fee of one hundred twenty-five dollars ($125.00) and a written examination fee of one hundred twenty-five dollars ($125.00);

(8) Submit a fee of one hundred twenty-five dollars ($125.00) required as a recertification fee.

History Note: Authority G.S. 90-113.30; 90-113.33; 90-113.34; 90-113.38; 90-113.40; 90-113.41; 90-114.41A; Eff. August 1, 1996; Amended Eff. January 1, 2010; August 1, 2002; August 1, 2000.

21 NCAC 68.0212 PROCESS FOR RESIDENTIAL FACILITY DIRECTOR CERTIFICATION

(a) Residential facility director certification may be obtained and continued by any person credentialed as a Substance Abuse Counselor or Clinical Addictions Specialist.

(b) Requirements for certification shall be as follows:

(1) 50 hours of academic and didactic management specific training;

(2) Recommendation of applicant's current supervisor;

(3) Recommendation of a colleague and co-worker of the applicant; and

(4) An application packet fee of twenty-five dollars ($25.00), a registration fee of one hundred twenty-five dollars ($125.00), and a certification fee of one hundred twenty-five dollars ($125.00).

(c) In addition to meeting the continuing education requirements to practice as a Certified Counselor or Clinical Addictions Specialist, in order to maintain certification as a Residential Facility Director, the applicant shall take 40 hours of continuing education every two years and maintain documentation of such training. Anyone allowing certification to lapse beyond three months of the re-certification due date shall reapply as a new applicant.

History Note: Authority G.S. 90-113.30; 90-113.33; 90-113.35; 90-113.38; 90-113.39; 90-113.40; 90-113.41; 90-114.41A; Eff. August 1, 1996; Amended Eff. January 1, 2010; August 1, 2002; August 1, 2000.

21 NCAC 68.0213 CONTINUING EDUCATION APPROVAL POLICY

(a) The Board shall approve educational events for professional credentialing. One certified hour is defined as one contact hour of participation in an organized continuing education experience. Continuing education used to meet the credentialing requirements shall be reviewed and approved according to these Rules. If the sponsor does not obtain approval from the Board, the individual participants shall be responsible for supplying all of the required information for each continuing education session at the time of request for credentialing or re-credentialing. Upon request, the Standards Committee shall review requests quarterly. Submission of approval requests shall be received 45 days prior to opening day of the event.

(b) Any applicant for training approval shall submit a training approval request form including:

(1) Title of course, date, location, individual or organization sponsor, whether it will be held only once or recurring.

(2) Presenter(s) who shall attach a resume outlining expertise in the subject area and content of the session.
(3) A description of the contents of a track, course, seminar, and the type of credit hours being requested to indicate if it is substance abuse specific, general skill building, or required training pursuant to other specialized credentials including Criminal Justice Addictions Professionals, Clinical Supervisors, Residential Facility Directors, or Prevention Consultants.

(4) Agenda, to include the breakdown of time including a 15 minute break for every two hours of education and amount of time allowed for meals.

(5) The sponsor or individual seeking approval shall pay an annual fee as follows:
   (A) $25.00 for up to 10 hours;
   (B) $50.00 for more than 10 hours and up to 20 hours;
   (C) $75.00 for more than 20 hours and up to 30 hours;
   (D) $100.00 for more than 30 hours and up to 40 hours;
   (E) $125.00 for more than 40 hours.

(c) Training approved by IC&RC/AODA, Inc. or its successor organization member boards and organizations granted deemed status shall be accepted with documentation of completion.

(d) In-service training shall meet the same requirements as set out in Paragraphs (b) and (c) of this Rule. However, if persons who are non-employees of the sponsoring and presenting agency are invited to participate, then it is not considered in-service and Board pre-approval shall be required. Education received within the organization by outside trainers is not considered in-service.

(e) Presenters shall be given one hour of credit for every one hour presented. However, if the original presentation is repeated, hours can only be credited for the original presentation.

(f) The Board may revise or rescind credit hours if information is received documenting that a previously approved event was not presented as it was approved.

History Note: Authority G.S. 90-113.30; 90-113.33; 90-113.38; 90-113.39; 90-113.40; 90-113.37A; Eff. August 1, 1996; Amended Eff. January 1, 2010; August 1, 2000.

21 NCAC 68 .0214 UNIVERSITY SUBSTANCE ABUSE SPECIALTY CURRICULA

(a) The standards committee shall be notified by a school of its intent to provide a substance abuse specialty curricula.

(b) Upon notification of the school's intent to provide a substance abuse specialty curriculum, the Board shall inform the school that the following information shall be needed from the applicant school:
   (1) Curricula description including number of hours of substance abuse specific credits;
   (2) Information as to how the educational requirements for substance abuse specialty shall be met within the curricula pursuant to G.S. 90-113.41A(1)-(k);
   (3) The names and resume of any faculty who shall be teaching the substance abuse curricula;
   (4) The name of the school in which the substance abuse curricula shall be housed and organizational contact information; and
   (5) Specific guidelines and information on the field experience that shall be required of students including current substance abuse specific field placements and supervision.

(c) The standards committee shall review curricula to determine if the proposal meets educational, hour, substance abuse specific and supervised experience qualifications.

(d) The curricula review subcommittee of the standards committee shall present recommendations to the Board.

(e) The Board shall notify the school of the status of its request and any recommendation.

(f) The curricula shall be submitted for review every three years. Application for extension of the curricula shall be made 90 days prior to the current expiration date.

(g) Individuals applying who have completed a curriculum from a school meeting the criteria set forth in Subparagraphs (b)(1) through (b)(5) of this Rule shall submit an official masters or more advanced degree transcript from the university or college.

History Note: Authority G.S. 90-113.30; 90-113.33; 90-113.38; 90-113.39; 90-113.40; Eff. August 1, 2002; Amended Eff. April 1, 2011; January 1, 2010.

21 NCAC 68 .0215 VERIFICATION

(a) Application for verification of credential shall be made to the Board.
(b) A request for verification shall be made in writing and submitted with a check or money order in the amount of twenty-five dollars ($25.00).

History Note: Authority G.S. 90-113.30; 90-113.33; 90-113.38; 90-113.40; Eff. August 1, 2002; Amended Eff. January 1, 2010.

21 NCAC 68 .0216 BACKGROUND INVESTIGATION

(a) Every applicant for an initial credential issued pursuant to Article 5C of Chapter 90 of the General Statutes shall provide, at her or his expense, a completed fingerprint card and accompanying release of information form, provided by the Board, meeting the standards set by the State Bureau of Investigation and obtained within 60 days of the date the applicant submits all the prerequisites for his or her credential.

(b) The applicant shall provide any additional information regarding any pending charge or conviction as requested by the Board.

(c) An applicant shall submit a verified statement listing all criminal convictions received by the applicant, subsequent to the date of the application. Failure to make full and accurate disclosure shall be grounds for immediate application denial or other disciplinary action applicable to registration, certification, or licensure pursuant to G.S. 90-113.44.

(d) Criminal histories from any jurisdiction shall be categorized as defined by North Carolina law.

(e) The categories of crimes (committed as separate incidents) are as follows:

(1) Category I. The following crimes:
   (A) Murder, attempted murder, or manslaughter of a child 16 or under; or
   (B) Sexual assault, including attempted sexual assault, rape, indecent liberties with a child, molestation, or sexual assault of a child, or the attempt to commit any of the aforementioned crimes.

(2) Category II. Crimes that primarily result in bodily or emotional harm to others, including:
   (A) Manslaughter of a person over 16 years of age;
   (B) Kidnapping or attempted kidnapping;
   (C) Arson of an occupied dwelling;
   (D) Robbery with a dangerous weapon or attempted robbery with a dangerous weapon;
   (E) Felony assault other than a sexual assault;
   (F) First degree burglary;
   (G) Trafficking in controlled substances as is defined in Article 5 of Chapter 90 of the General Statutes; or
   (H) Any other felony that results in bodily or emotional harm to another.

(3) Category III. The following misdemeanors and felonies that do not primarily result in bodily or emotional harm to others:
   (A) Three or more DWIs within the most recent seven years;
   (B) Assault (misdemeanor);
   (C) Felony larceny;
   (D) Fraud, obtaining property by false pretenses, financial transaction card theft;
   (E) Unauthorized use of an aircraft;
   (F) Unlawfully carrying a weapon;
   (G) Theft of a vehicle;
   (H) Falsification of government documentation (felony);
   (I) Arson of an unoccupied dwelling or other building within the curtilage;
   (J) Burglary other than in the first degree;
   (K) Sale and delivery violations of the North Carolina Controlled Substances Act resulting in a felony conviction;
   (L) Embezzlement;
   (M) Forgery;
   (N) Any burning of property prosecuted as a felony;
   (O) Robbery not with a dangerous weapon;
   (P) Perjury;
   (Q) Felony receiving and possessing stolen goods;
   (R) Breaking and entering; or
   (S) Any other felony not otherwise categorized.
(4) Category IV. The following misdemeanors:
   (A) Any combination of three or more Category V offenses, except offenses occurring within the 
same incident shall be considered a single offense;
   (B) Two DWIs within the most recent seven years;
   (C) Possession of a controlled substance;
   (D) Injury or damage to property;
   (E) Resisting arrest;
   (F) Larceny;
   (G) Prostitution;
   (H) Criminal mischief;
   (I) Driving while license suspended or revoked;
   (J) Falsification of government documents;
   (K) Any misdemeanor burning; or
   (L) Any other misdemeanor not otherwise categorized.

(5) Category V. Category V offenses are:
   (A) One DWI within the most recent seven years;
   (B) Disorderly conduct;
   (C) Intoxicated and disruptive in public;
   (D) Three or more incidents resulting in worthless check convictions; or
   (E) Shoplifting or concealment.

(f) The following sanctions have been established by the Board according to the categories of crimes:

(1) An applicant with a Category I conviction shall have at least 15 years elapsed since the applicant has 
    completed all aspects of his or her sentence received as a result of the last Category I conviction to be 
    eligible for registration, certification, or licensure.

(2) An applicant with a Category II conviction shall have at least 10 years elapsed since the applicant has 
    completed all aspects of his or her sentence received as a result of the last Category II conviction to be 
    eligible for certification or licensure. Notwithstanding a Category II conviction, an applicant may be 
    registered no sooner than five years following the date the applicant has completed all aspects of his or 
    her sentence.

(3) An applicant with a Category III conviction shall have at least five years elapsed since the applicant 
    has completed all aspects of his or her sentence received as a result of the last Category III conviction 
    to be eligible for certification or licensure. Notwithstanding a Category III conviction, an applicant 
    may be registered immediately following the date the applicant has completed all aspects of his or her 
    sentence.

(4) An applicant with a Category IV conviction shall have at least three years elapsed since the applicant 
    has completed all aspects of his or her sentence received as a result of the last Category IV conviction 
    to be eligible for certification or licensure. Notwithstanding a Category IV conviction, an applicant 
    may register immediately following the date the applicant has completed all aspects of his or her 
    sentence.

(5) An applicant with a Category V conviction shall have at least one year elapsed since the applicant has 
    completed all aspects of his or her sentence received as a result of the last Category V conviction to be 
    eligible for certification or licensure. Notwithstanding a Category V conviction, an applicant may 
    register immediately following the date the applicant has completed all aspects of his or her sentence.

(g) If a waiting period prior to licensure as a driver of a motor vehicle results from a conviction for a DWI offense, this 
    waiting period shall not be considered an aspect of an applicant's sentence required to be completed prior to the awarding 
    of a credential.

(h) An individual whose application is denied or whose registration is suspended or revoked may request a hearing 
    under the procedure established in Article 5C of Chapter 90 and Chapter 150B of the North Carolina General Statutes 
    and the North Carolina Administrative Code.

History Note: Authority G.S. 90-113.30; 90-113.31; 90-113.33; 90-113.40; 90-113.41A; 90-113.44; 
Temporary Adoption Eff. May 15, 2002; 
Temporary Adoption Eff. July 1, 2002; 
Eff. April 1, 2003; 
21 NCAC 68 .0217  SUPERVISED PRACTICUM FOR CRIMINAL JUSTICE ADDICTIONS PROFESSIONAL CERTIFICATION

(a) All applicants for the criminal justice addictions professional certification shall complete 300 hours practicum. The applicant supervisor shall:

(1) Train the criminal justice addictions professional and cover all criminal justice performance domains as set out in G.S. 90-113.31B(6);
(2) Submit verification that at least 10 hours of practice was provided in each of the performance domains; and
(3) Provide verification of at least one hour of supervision for every 10 hours of practice in each one of the performance domains on a supervisor evaluation form provided by the Board.

(b) The remaining hours of the practicum shall be in any of the performance domains.

(c) Upon completion of 300 hours, the applicant supervisor shall:

(1) Complete an evaluation form reviewing criminal justice addictions professional's development as a professional;
(2) Document the 300 hours of practice to include 30 hours of supervision by the applicant supervisor; and
(3) Submit this information to the Board on a form provided by the Board.

(d) The practicum may be completed as part of an academic course of study in a regionally accredited college or university or it may be developed in the work setting as long as it is supervised by an applicant supervisor. The practicum shall take place within a criminal justice addiction professional setting to include a workplace for law enforcement, the judiciary, or corrections.

History Note: Authority G.S. 90-113.31A; 90-113.31B(6); 90-113.40; 90-113.40B; Eff. January 1, 2010; Amended Eff. June 1, 2011; April 1, 2011.

21 NCAC 68 .0218  RESERVED FOR FUTURE CODIFICATION

21 NCAC 68 .0219  RESERVED FOR FUTURE CODIFICATION

21 NCAC 68 .0220  NOTICE TO APPLICANT OF FAILURE TO SATISFY BOARD

Whenever the Board has determined that an application is deficient, the Board shall notify the applicant of its decision and indicate in what respect the applicant has failed to satisfy the Board. The applicant may inquire with the Board if more information is needed to clarify the nature of the deficiency.


21 NCAC 68 .0221  APPLICANT HEARING

Upon denial, suspension or revocation of a credential, an applicant may request a hearing upon submission of a written statement detailing the reason for the request. The applicant shall be given a formal hearing before the Board. Notice of the time and place of the public hearing shall be provided to the applicant. The burden of satisfying the Board of the applicant's qualifications for a credential shall be upon the applicant. Following the hearing, the Board shall determine whether he or she is qualified to be examined or is entitled to be credentialed, whichever is the next appropriate step in the process.


21 NCAC 68 .0222  ETHICS INQUIRY

(a) Information that is the basis for an inquiry into the issue of whether the applicant meets the ethical standards of the Board may be referred to the Chairperson of the Standards Committee for review and further investigation. The Chairperson may pursue the investigation of this matter pursuant to the procedures used to investigate ethics complaints.
Information that is the basis for an inquiry into the issue of whether the credentialed professional meets the ethical standards of the Board may be referred to the Chairperson of the Ethics Committee for review and further investigation. The Chairperson may pursue the investigation of this matter pursuant to the procedures used to investigate ethics complaints.

History Note: Authority G.S. 90-113.30; 90-113.33; 90-113.39; 90-113.40; 90-113.44; Eff. April 1, 2001; Amended Eff. January 1, 2010.

21 NCAC 68.0223 STANDARDS COMMITTEE ACTION
The Standards Committee may take any of the following actions:
(1) Review applications for credentialing and re-credentialing;
(2) Recommend or deny candidates for credentialing and re-credentialing;
(3) Review curricula requirements for Board approved training events;
(4) Review curricula requirements for Board approval of college or university courses; and
(5) Investigate complaints of illegal practice.


21 NCAC 68.0224 CREDENTIALING STATUS DENIED IF SERVING SENTENCE
An individual making application for a credential who is serving any part of a court-ordered sentence, including community service, supervised or unsupervised probation, or making restitution, shall be removed from the credentialing process. If any person is serving or begins serving such sentence during the course of the credentialing process, this person shall notify the Board. If a driver license revocation or suspension period results from a conviction for a DWI offense or refusal to submit to breathalyzer or blood testing, this period shall not be considered an aspect of an applicant's sentence required to be completed prior to the awarding of a credential.

History Note: Authority G.S. 90-113.30; 90-113.33; 90-113.39; 90-113.40; 90-113.44; Eff. April 1, 2001; Amended Eff. January 1, 2010.

21 NCAC 68.0225 SUSPENSION OF AUTHORITY AND ESCROW OF FUNDS
The Board shall file the annual reports set forth in G.S. 93B-2 no later than October 31 of each year. In the event the Board fails to file the reports as required by G.S. 93B-2 and the Board's authority to expend any funds is suspended until such time as the Board files the required reports, the Board shall deposit any fees or funds received during the period of suspension into an escrow account established by the Board solely for this purpose.

History Note: Authority G.S. 90-113.30; 90-113.33; 93B-2; Eff. April 1, 2011.

21 NCAC 68.0226 ARMED SERVICES EXTENSION FOR CREDENTIAL
Upon receipt of a written request by or on behalf of a credentialed substance abuse professional who is currently in good standing with the Board, is serving in the armed forces of the United States, and to whom G.S. 105-249 authorizes an extension of time to file a tax return, the Board shall postpone renewal fees, renewal application deadlines, continuing education requirements and any other requirements or conditions related to the maintenance of the credential issued by the Board or to the renewal thereof for the same period of time as the extended period of time to file a tax return that is granted pursuant to G.S. 93B-15.

History Note: Authority G.S. 90-113.30; 90-113.33; 93B-15; Eff. April 1, 2011; Amended Eff. June 1, 2011.
SECTION .0300 - CLINICAL ADDICTIONS SPECIALIST

21 NCAC 68 .0301 SCOPE
The rules in this Section apply to a person seeking certification as a clinical addictions specialist and a professional discipline seeking deemed status.

History Note: Authority G.S. 113.30; 90-113.40; 90-113.41A; Temporary Adoption Eff. November 15, 1997; Eff. August 1, 1998.

21 NCAC 68 .0302 DEFINITIONS


21 NCAC 68 .0303 APPLICATION FOR DEEMED STATUS BY PROFESSIONAL DISCIPLINE
(a) Any professional discipline seeking deemed status shall forward a letter of intent with a request for an application to become a deemed status organization to the Board.

(b) As directed by the Board, the discipline shall provide the following:
   (1) Documentation that it meets the requirements of G.S. 90-113.41A;
   (2) A copy of the ethical code and statement, if any, it requires its members to sign indicating that the member will comply with the discipline's code of ethics; and, any substantiating data that supports the ethical process of the professional discipline;
   (3) Documentation describing the exam process each applicant must pass in order to be awarded the professional group's substance abuse specialty credential.

(c) A discipline granted deemed status shall provide the name of any member whose credential is revoked, suspended or denied within 60 days from the date of action.

(d) The professional discipline, to the extent allowed by its statutes and rules, shall provide any information requested by the Board that has been submitted to the professional discipline regarding the complaint against its member, subsequent to the disposition of the complaint.

(e) If no information has been received by the Board within six months, or the Board is not satisfied with the disposition of the complaint, the Board may initiate its own disciplinary action.

History Note: Authority G.S. 90-113.32; 90-113.33; 90-113.41A; 90-113.43; Temporary Adoption Eff. November 15, 1997; Eff. August 1, 1998.

21 NCAC 68 .0304 THREE-YEAR STANDARDS REVIEW OF DEEMED STATUS STANDING
(a) The Standards and Credentialing Committee of the Board shall review the standards of each professional discipline every third year as required in G.S. 90-113.41A.

(b) The Board shall send notice to the discipline 90 days in advance of the end of the three-year period following the date deemed status was granted or renewed.

(c) The discipline shall report current standards, including an update of all information originally required.

(d) The Board may require further substantiation and explanation of this data.

History Note: Authority G.S. 90-113.32; 90-113.33; 90-113.41A; 90-113.43; Temporary Adoption Eff. November 15, 1997; Eff. August 1, 1998.

21 NCAC 68 .0305 CERTIFICATION REQUIREMENTS FOR INDIVIDUAL APPLICANT
In addition to meeting the requirements of G.S. 90-113.40, an applicant seeking certification as a clinical addictions specialist shall submit the following, if applicable:
(1) Documentation evidencing that 12 hours of HIV/AIDS/STDS/TB/Bloodborne pathogens training and education and six hours of professional ethics training were included in the 180 hours completed for certification in the core competencies by the applicant not in the deemed status group;

(2) Copy of a substance abuse specialty certificate or its equivalent;

(3) Copy of his or her masters’ or doctorate degree diploma;

(4) Completed registration form; and

(5) Payment of the following fees:

(a) All applicants who are in the deemed status group shall make payment of a non-refundable application fee of ten dollars ($10.00) and payment of a non-refundable certification fee of forty dollars ($40.00).

(b) All other applicants shall make payment of an application packet fee of twenty-five dollars ($25.00) and payment of a non-refundable certification fee of one hundred twenty-five dollars ($125.00).

(c) All applicants seeking certification pursuant to Criteria A of G.S. 90-113.40(c) shall make payment of a non-refundable written examination fee of one hundred twenty-five dollars ($125.00) and payment of a non-refundable oral examination fee of one hundred dollars ($100.00).

(d) All applicants seeking certification pursuant to Criteria B of G.S. 90-113.40(c) shall make payment of a non-refundable written examination fee of one hundred twenty-five dollars ($125.00).

(e) All applicants seeking certification pursuant to Criteria C of G.S. 90-113.40(c) shall make payment of a non-refundable oral examination fee of one hundred dollars ($100.00).

History Note: Authority G.S. 90-113.30; 90-113.33; 90-113.38; 90-113.40; 90-113.41; 90-113.43; Temporary Adoption Eff. November 15, 1997; Eff. April 1, 1999; Amended Eff. August 1, 2002.

21 NCAC 68 .0306 RENEWAL OF INDIVIDUAL CERTIFICATION AS CLINICAL ADDICTIONS SPECIALIST

(a) An applicant who is in the deemed status group shall submit the following every two years:

(1) A completed application form and copy of current substance abuse certification from the applicant's deemed status professional discipline.

(2) A non-refundable recertification fee of thirty-five dollars ($35.00).

(b) All other individual applicants shall:

(1) Renew certification as classified by the criteria for their original certification every two years.

(2) Document completing 40 hours of education pursuant to Section .0400 of this Chapter, during the current certification period. A minimum of 30 hours shall be substance abuse specific. This education may include a combination of hours including attending workshops, receiving clinical supervision and providing workshops.

(3) Meet recertification educational guidelines as a substance abuse professional as follows:

(A) No more than 25 percent may be in service education, received within the applicant's organization by staff of the same employment.

(B) No more than 25 percent receiving supervision with two hours of supervision translating to one hour of education.

(C) No more than 25 percent of workshop presentation with one hour of presentation translating to one hour of education. Workshop presentation shall be pursuant to Rule .0213 of this Chapter.

(D) No more than 25 percent of Alcohol/Drug Education Traffic School (ADETS) and Drug Education School (DES) events.

(E) All applicants shall include six hours of HIV/AIDS/STDS/TB/Bloodborne pathogens training and education and three hours of professional ethics training and education for each certification.

(4) A completed application form with continuing education documented.

(5) A non-refundable one hundred twenty-five dollar ($125.00) recertification fee.
21 NCAC 68 .0307  REVOCATION OF CREDENTIAL WHEN CHANGE IN STATUS
(a) Any clinical addictions specialist credentialed pursuant to deemed status who is no longer a member in good standing of his or her professional discipline may be subject to revocation of the credential.
(b) Any clinical addictions specialist who is credentialed pursuant to the deemed status criteria may lose this credential if the professional discipline loses its deemed status standing.
(c) Any clinical addictions specialist whose certification is obtained pursuant to the deemed status criteria and whose certification may be revoked or is revoked as a result of loss of membership in good standing with the professional discipline or loss by the professional discipline of its deemed status standing, may apply for certification pursuant to G.S. 90-113.40(c)(1), (2), or (3) or S.L. 1997, c. 492, 17 or 18. This individual shall submit a completed application for certification within 60 days from the date notice of loss of the individual's membership or notice of the loss of deemed status by the professional group is received by the member of the professional discipline.

SECTION .0400 - EDUCATION
21 NCAC 68 .0401  EDUCATION APPROVAL POLICY
(a) The Certification Board shall approve educational events for professional certification or certification renewal. One certified hour is defined as one contact hour of participation in an organized education experience under sponsorship approved in accordance with these rules.
(b) The Certification Board shall review and approve all education used to meet the certification requirements.
(c) Approval may be requested by an individual applicant or by a sponsor or presenter. If the sponsor does not obtain credit from the Certification Board, the individual participants shall be responsible for supplying all of the required information for each session at the time of request for certification, recertification, or conversion. The Standards and Credentials Committee shall review requests once monthly.
(d) To insure a determination of a request prior to the date of presentation, sponsors, presenters, or individuals shall submit requests 45 days prior to opening day of the event.

21 NCAC 68 .0402  GENERAL GUIDELINES
(a) The guidelines set forth in this section shall apply to each approval request for obtaining credit for didactic and academic hours for course, curricula, and training events held January 1, 1987 or thereafter.
(b) The following information and standards shall be required:
   (1) Title of course, date, location, sponsor (individual or organization), and whether it shall be held only once or periodically;
   (2) The name of the presenter(s) and a resume outlining his or her expertise in the subject area and content of the session;
   (3) A sufficient description of the contents of a track, course, seminar, or other unit of academic pursuit and the type of credit hours being requested to indicate if it is substance abuse specific or general skill building;
   (4) An agenda reflecting the breakdown of time including a 15 minute break for every two hours of education and amount of time allowed for meals;
   (5) Each application for training approval may include a copy of the objective evaluation tool to be used;
   (6) The summary of evaluations may be submitted to the Board within 45 days following the program date(s).
(c) The Certification Board shall have the right to review programs by sending a Certification Board member or designee to monitor the event or a portion of the event. When fulfilling this quality assurance role, the designated person shall present a letter of introduction to the presenter.
(d) Certification hours shall be awarded only for actual hours attended.
(e) Certificates shall not be released until the event ends and they shall be modified to reflect actual hours completed.
(f) Providers of Board approved events shall be required to document attendance at individual events for schools, courses, curricula and conferences.
(g) Event sponsors shall maintain attendance and evaluation records for no less than three years.
(h) Training approved by International Certification and Reciprocity Consortium (ICRC) member boards shall be accepted with documentation of completion.

History Note: Authority G.S. 90-113.30; 90-113.37; 90-113.40; Eff. August 1, 1996.

21 NCAC 68 .0403 EMPLOYER INSERVICE EVENT
(a) An employer inservice event shall be a training session that shall be provided by the applicant's employer for the purpose of professional certification and it shall be approved by the Board for this purpose as with other training events.
(b) An applicant's military employment shall be considered inservice training.

History Note: Authority G.S. 90-113.30; 90-113.37; 90-113.40; Eff. August 1, 1996.

21 NCAC 68 .0404 CREDIT DENIAL OR LIMITATION
(a) Credit shall not be given for the following:
   (1) Presentations given by banquet speakers unless the content meets the requirements described in this Section;
   (2) One's own case presentation required for certification; or
   (3) Registration time.
(b) The Board shall revise or rescind credit hours if information is received documenting that a previously approved event was not presented as it was approved.

History Note: Authority G.S. 90-113.30; 90-113.37; 90-113.40; Eff. August 1, 1996.

21 NCAC 68 .0405 SPONSOR GUIDELINES
(a) Sponsors or presenters shall submit requests for approval prior to the event and shall allow the Board 45 days for review and approval. Requests by sponsors or presenters postmarked after the event has taken place shall not be reviewed or approved by the Board, but shall be returned. Documentation of the event attendance shall then be submitted by each individual at the time request is made for certification or recertification or conversion.
(b) All approvals from the Board shall be in writing and shall include the event approval number.
(c) Sponsors shall be responsible for providing a certificate of attendance which includes the approval number and number of approved education hours.
(d) Any event given on a recurring basis, as in the example of college courses, may be given approval on a yearly basis. Renewal of credit approval shall be based on submission of a letter by the sponsor or presenter documenting no change in course content. Any changes in content or method shall be submitted for review and approval in order to maintain prior approval. When changes have been made in content, method or agenda, the fee shall be the same as for a new event.
(e) Fees for review and approval of events:
   (1) For 1-10 hours of instruction the Board shall impose a fee of twenty-five dollars ($25.00);
   (2) For 11-20 hours of instruction the Board shall impose a fee of fifty dollars ($50.00);
   (3) For 21-30 hours of instruction the Board shall impose a fee of seventy-five dollars ($75.00);
   (4) For 31-40 hours of instruction the Board shall impose a fee of one hundred dollars ($100.00);
   (5) For 41-50 hours of instruction the Board shall impose a fee of one hundred twenty-five dollars ($125.00);
   (6) For 51-100 hours of instruction the Board shall impose a fee of one hundred fifty dollars ($150.00).
(7) For greater than 100 hours of instruction the Board shall impose a fee greater than one hundred fifty dollars ($150.00) and those additional charges shall be imposed in incremental amounts as set forth in Subparagraphs (e)(1) through (6) of this Rule, not to exceed three hundred dollars ($300.00).

History Note: Authority G.S. 90-113.30; 90-113.37; 90-113.38; 90-113.40;
Eff. August 1, 1996.

21 NCAC 68 .0406 PROCEDURES FOR APPROVAL OF SELF-STUDY COURSES
(a) Self-study courses may be submitted for approval for certification and recertification hours.
(b) A copy of all documents including test and documentation of completion shall be submitted with the application.
(c) No more than 50% of hours may be credited through self-study programs.
(d) Self-study courses may not be repeated for credit.
(e) A fee of one hundred fifty dollars ($150.00) shall be submitted for each course by the vendor for pre-approval by the Board. Pursuant to G.S. 90-113.39, approval is for one year from the date the Certification Board approves the application.
(f) Self study approved by IC&RC/AODA, Inc. member boards and organizations granted deemed status shall be accepted with documentation of completion.

History Note: Authority G.S. 90-113.30; 90-113.37; 90-113.38; 90-113.39; 90-113.40;
Eff. August 1, 1996;

21 NCAC 68 .0407 APPLICANT GUIDELINES
(a) After January 1, 1985, to gain credit for an applicant's education for certification, recertification or conversion, the applicant shall provide the event approval number and proper documentation of attendance which includes:
   (1) Certificate of attendance; or
   (2) Training cards or sheets signed by a sponsor or presenter.
(b) Documents not acceptable to establish that an applicant has received continuing education are as follows:
   (1) Canceled checks;
   (2) Receipts;
   (3) Letters from supervisors who were non-participants in the course; or
   (4) Program schedules.
(c) If the sponsor failed to obtain approval for an event, the applicant shall be responsible for supplying the required information for each session as stated in Rule .0402 of this Section.
(d) To gain credit for didactic or academic hours of continuing education events held prior to January 1, 1985, the following standards apply:
   (1) The Board shall accept education previously approved by the former N.C. Alcoholism Certification Board and N.C. Drug Abuse Professional Certification Board.
   (2) Events held between January 1, 1980 and December 31, 1984 shall include all of the information required pursuant to Rule .0402 of this Section, except the resume of the presenter.
   (3) Events held prior to January 1, 1980 may be approved if a description of the material, method, number of hours and presenter's name is provided by the applicant.
(e) It is the responsibility of the individual applicant to put together a package of hours in accordance with criteria contained herein. Sixty hours of education shall be completed within the two years immediately prior to request for certification or recertification or conversion. There shall be no time frame on the remaining required hours for certification, to include conversion.
(f) Inservice events shall be identified as such.
(g) If a page of material is received from the applicant which does not comply with the above requirements, it shall be returned to the applicant.
(h) Request for approval shall be mailed to the Board.

History Note: Authority G.S. 90-113.30; 90-113.33; 90-113.37; 90-113.40;
Eff. August 1, 1996.
SECTION .0500 - ETHICAL PRINCIPLES OF CONDUCT FOR THE SUBSTANCE ABUSE PROFESSIONAL

21 NCAC 68 .0501 PURPOSE AND SCOPE
(a) The ethical principles governing the credentialed substance abuse professional are established to protect the public health, safety and welfare.
(b) The primary goal of this code is to set forth principles to guide the conduct of the substance abuse professional. The Board may deem violation of these standards malpractice, negligence, incompetence, or engaging in conduct that could result in harm or injury to the public.
(c) Ethical principles shall provide a standard for the substance abuse professional in his or her professional roles, relationships and responsibilities.
(d) Upon submission of an application for a credential, each applicant shall review the ethical standards in these Rules, sign the "Applicant's Code of Ethical Conduct" form, and return it to the Board agreeing to uphold the ethical principles of conduct.

History Note:  Authority G.S. 90-113.30; 90-113.33; 90-113.39; 90-113.40;
Temporary Adoption Eff. October 23, 1995 for a period of 180 days or until the permanent rule becomes effective, whichever is sooner;
Eff. February 1, 1996;

21 NCAC 68.0502 NON-DISCRIMINATION
The substance abuse professional shall consider the issue of discrimination against clients or professionals based on race, religion, age, sex, handicaps, national ancestry, sexual orientation or economic condition, but in all cases the professional shall not discriminate on any basis prohibited by federal or state law.

History Note: Filed as a Temporary Adoption Eff. October 23, 1995 for a period of 180 days or until the permanent rule becomes effective, whichever is sooner;
Authority G.S. 90-113.30; 90-113.33; 90-113.40;
Eff. February 1, 1996.

21 NCAC 68 .0503 COMPETENCE
(a) The substance abuse professional shall employ the requisite knowledge, skill and proficiencies of a substance abuse practitioner competently providing services within his or her scope of practice.
(b) The substance abuse professional shall strive to learn about cultural and ethnic values in order to provide the highest level of care for a client who possesses a diverse or unfamiliar cultural or ethnic background.
(c) The substance abuse professional shall provide the necessary interpretive services to any client or refer the person for necessary services.
(d) The substance abuse professional shall assist in eliminating prevention, intervention, treatment, and supervision practices by persons unqualified or unauthorized to practice in the field.
(e) The substance abuse professional who knows of unethical conduct or of unprofessional practices by a substance abuse professional shall report such violations to the Board.
(f) The substance abuse professional shall recognize boundaries and limitations of his or her competencies and not offer services or use techniques outside of his or her professional competencies and scope of practice.
(g) The substance abuse professional who identifies a need for services outside his or her skill, training or experience shall refer the client to an appropriate professional or shall seek supervision and training to provide the required services for the individual.
(h) The substance abuse professional shall complete reports and record keeping functions in a manner that supports the client's treatment experience and welfare.
(i) The substance abuse professional shall recognize the negative impact impairment has on his or her functioning in public and professional performance and shall seek an assessment by a Board-approved provider and follow the recommendations.
(j) No applicant shall be credentialed as a substance abuse professional who is serving any part of a court-ordered sentence as specifically prohibited by 21 NCAC 68 .0224.
21 NCAC 68 .0504 LEGAL STANDARDS AND ETHICAL STANDARDS
(a) The substance abuse professional shall not claim or imply educational, experiential or professional qualifications or affiliations that the substance abuse professional does not possess.
(b) The substance abuse professional shall not use membership on the North Carolina Substance Abuse Professional Practice Board for purposes that are not consistent with these Rules. No Board member shall advertise, promise, or provide special treatment to any individual because of membership on the North Carolina Substance Abuse Professional Practice Board or its committees.
(c) The substance abuse professional shall not lend his or her name to or participate in any professional or business relationship that may knowingly mislead the public.
(d) The substance abuse professional shall follow established guidelines on research with human subjects when he or she engages in such research.

21 NCAC 68 .0505 EDUCATION AND TRAINING STANDARDS
(a) The substance abuse professional shall be prepared to provide the source for any materials or techniques used when making either public statements or providing education and training.
(b) The substance abuse professional shall not knowingly make false, deceptive, or fraudulent statements concerning his or her:

(1) Training, experience, or competence;
(2) Academic degrees;
(3) Credentials;
(4) Institutional or association affiliations;
(5) Services;
(6) Fees;
(7) Publications or research findings; and
(8) Scientific or clinical basis for, or results or degree of success of his or her services.

21 NCAC 68 .0506 PUBLICATION CREDIT
The substance abuse professional shall assign credit to all who have contributed to the published material and for the work upon which the publication is based.

(1) The substance abuse professional shall recognize joint authorship, major contributions of a professional character, made by several persons to a common project. The author who has made the principle contribution to a publication shall be identified as a first listed.

(2) The substance abuse professional shall acknowledge in footnotes or an introductory statement minor contribution of a professional character, extensive clerical or similar assistance and other minor contributions.

(3) The substance abuse professional shall acknowledge, through specific citations, unpublished, as well as published material, that has directly influenced the research or writing.
(4) The substance abuse professional who compiles and edits for publication the contributions of others shall list oneself as editor, along with the names of those others who have contributed.

History Note: Filed as a Temporary Adoption Eff. October 23, 1995 for a period of 180 days or until the permanent rule becomes effective, whichever is sooner; Authority G.S. 90-113.30; 90-113.33; 90-113.44; Eff. February 1, 1996.

21 NCAC 68 .0507 CLIENT WELFARE
(a) The substance abuse professional shall protect the safety and welfare of the client.
(b) The substance abuse professional shall inform clients of the nature and direction of loyalties and responsibilities and keep all parties participating in the client's care informed of these commitments.
(c) The substance abuse professional, in the presence of professional conflict, shall be concerned primarily with the welfare of the client.
(d) The substance abuse professional shall withdraw services only after giving consideration to all factors in the situation and taking care to minimize adverse actual or possible effects.
(e) The substance abuse professional shall, after minimizing any adverse impact, end a counseling or consulting relationship when the professional knows or should know that the client is not benefiting from services.
(f) The substance abuse professional who anticipates the cessation or interruption of service to a client shall notify the client promptly and seek the cessation, transfer, referral, or continuation of service in relation to the client's needs and preferences.
(g) The substance abuse professional shall not use a client in a demonstration where such participation would foreseeably harm the client.
(h) The substance abuse professional shall deliver services in a setting that respects client privacy and confidentiality.
(i) The substance abuse professional shall collaborate with other health care professionals providing treatment or support services to a client.

History Note: Authority G.S. 90-113.30; 90-113.33; 90-113.39; 90-113.40; 90-113.43; 90-113.44; Temporary Adoption Eff. October 23, 1995 for a period of 180 days or until the permanent rule becomes effective, whichever is sooner; Eff. February 1, 1996; Amended Eff. January 1, 2010; April 1, 2001; August 1, 2000.

21 NCAC 68 .0508 CONFIDENTIALITY
(a) The substance abuse professional shall protect the privacy of current and former clients and shall not disclose confidential information without prior consent.
(b) The substance abuse professional shall inform the client and obtain written permission for the use of interview material for training purposes and observation of an interview.
(c) The substance abuse professional shall make provisions for the maintenance of confidentiality and the ultimate disposition of confidential records. These provisions shall be consistent with the prohibition against disclosure of records or other information concerning any client in a federally-assisted alcohol or drug abuse program as it appears in 42 C.F.R., Part 2, 42 U.S.C. 290ee-3, the HIPAA Privacy Rule appearing in 45 CFR Sections 160 and 164 and State law.
(d) The substance abuse professional shall disclose confidential information only:
   (1) when there is clear and imminent danger to the client or to other persons or a medical emergency and then only to the appropriate professional worker or public authorities;
   (2) when compelled by law to provide such information;
   (3) with a proper consent form in writing issued pursuant to 42 C.F.R., Part 2, 42 U.S.C. 290ee-3; or
   (4) for internal program communications and communications that do not disclose patient-identifying information.
(c) With prior written consent the substance abuse professional shall discuss the information obtained in a clinical or consulting relationship only in a professional setting and only for a professional purpose concerned with the case. Written and oral reports shall present only data germane to the purpose of the evaluation.
(f) The substance abuse professional shall use material in classroom teaching and writing only when the identity of the person involved is disguised adequately to prevent disclosure or documented permission is given by the party or the information is in the public domain.
21 NCAC 68 .0509 CLIENT RELATIONSHIPS

(a) The substance abuse professional shall not enter into a client/professional relationship with members of one's immediate family. For the purpose of this Rule "immediate family" means spouse, parent, sibling, child, grandparent, grandchild, stepchild, stepparent, parent-in-law, and child-in-law.

(b) The professional shall avoid dual relationships that could impair professional judgment or increase the risk of exploitation of a client.

(c) Sexual activity or sexual contact of a substance abuse professional with a client shall be restricted as follows:
   (1) The substance abuse professional shall not engage in or solicit sexual activity or sexual contact with a current client.
   (2) The substance abuse professional shall not engage in or solicit sexual activity or sexual contact with a former client for five years after the termination of the counseling or consulting relationship.
   (3) The substance abuse professional shall not engage in or solicit sexual activity or sexual contact with any client the professional knows to be currently in treatment at his or her own agency or place of professional employment.
   (4) The substance abuse professional shall not knowingly engage in or solicit sexual activity or sexual contact with any identified former client of his or her own agency or place of professional employment for five years after the termination of the counseling or consulting relationship if both the professional was employed at the agency and the former client was a client of the agency during the same time period.
   (5) Because sexual activity with a client is harmful to the client, a substance abuse professional shall not engage in sexual activities with a former client even after a five-year interval unless the substance abuse professional who engages in such activity after the five years following cessation or termination of treatment bears the burden of demonstrating that there has been no harm to the client in light of all relevant factors, including the following:
      (A) The amount of time that has passed since treatment services were terminated;
      (B) The nature and duration of the treatment services;
      (C) The circumstances of termination;
      (D) The client's personal history;
      (E) The client's current mental status;
      (F) The likelihood of adverse impact on the client and others; and
      (G) Any statement made or action taken by the substance abuse professional during the course of treatment suggesting or inviting the possibility of a post-termination sexual or romantic relationship with the client.

(d) The substance abuse professional shall not misuse his or her professional relationship for sexual, financial, or any other personal advantage.

History Note: Authority G.S. 90-113.30; 90-113.43; 90-113.44; Temporary Adoption Eff. October 23, 1995 for a period of 180 days or until the permanent rule becomes effective, whichever is sooner; Eff. February 1, 1996; Amended Eff. January 1, 2010; April 1, 2001.

21 NCAC 68 .0510 INTERPROFESSIONAL RELATIONSHIPS

(a) The substance abuse professional shall treat colleagues with respect, courtesy and fairness and shall afford the same professional courtesy to other professionals.

(b) The substance abuse professional shall not offer professional services to a client in counseling or consulting with another professional except with the knowledge of the other professional or after the termination of the client's relationship with the other professional.

(c) The substance abuse professional shall cooperate with duly constituted professional ethics committees and promptly supply necessary information unless prohibited by law.

History Note: Authority G.S. 90-113.30; 90-113.33; 90-113.34; 90-113.44; Temporary Adoption Eff. October 23, 1995 for a period of 180 days or until the permanent rule becomes effective, whichever is sooner; Eff. February 1, 1996; Amended Eff. February 1, 2010; April 1, 2001; August 1, 2000.
21 NCAC 68 .0511  REMUNERATION
(a) The substance abuse professional shall establish financial arrangements in professional practice and in accord with
the best interests of the client or person served, the professional and of the profession.
(b) The substance abuse professional shall not send or receive any commission, rebate, or any other form of
remuneration for referral of a client or a person served for professional services.
(c) The substance abuse professional shall not accept a private fee or any other gift or gratuity having a cumulative value
of twenty-five dollars ($25.00) or more for professional work with a person who is receiving such services with the
professional or through the professional's institution or agency.
(d) A particular agency may make written provisions for private work with its clients or persons served by members of
its staff and in such instances the client or person served shall be apprised of all policies affecting him or her. Additional
referral options shall be presented to the client or person served if available.
(e) A substance abuse professional shall not use his or her employer's organization to solicit clients or persons served for
one's private practice without written authorization from the employer.

21 NCAC 68 .0512  RESPONSIBILITY OF SUPERVISOR TO SUPERVISEE
A professional who has received a credential from the Board and who is serving as a clinical or practice supervisor shall:
(1) Be aware of his or her influential position with respect to supervisees and therefore not exploit the
trust and reliance of such persons.
(2) Avoid dual relationships that could impair professional judgment, increase the risk of exploitation, or
cause harm to the supervisee. To implement this standard the supervisor shall not:
(A) Instruct or supervise family members who are related by blood to the second degree or
marriage or a person living in the supervisor's household;
(B) Provide therapy or therapeutic counseling services to supervisees; or
(C) Solicit or engage in sexual activity or contact with supervisees during the period of
supervision.
(3) Be trained in and knowledgeable about supervision methods and techniques.
(4) Supervise or consult only within his or her knowledge, training, and competency.
(5) Guide his or her supervisee to perform services responsibly, competently, and ethically. As
authorized by the supervisee's employer, the supervisor shall assign to his or her supervisees only
those tasks or duties that these individuals can be expected to perform competently, based on the
supervisee's education, experience, or training, either independently or with the level of supervision
being provided.
(6) Not disclose the confidential information provided by a supervisee except:
(A) As mandated by law;
(B) To prevent harm to a client or other person involved with the supervision;
(C) In educational or training settings where there are multiple supervisors, and then only to
other professional colleagues who share responsibility for the performance or training of the
supervisee; or
(D) If consent is obtained.
(7) Establish and facilitate a process for providing evaluation of performance and feedback to a
supervisee. To implement this process the supervisee shall be informed of the timing of evaluations,
methods, and levels of competency expected. Supervision documentation shall be signed by the
supervisor and supervisee and include the date, time, duration, method, and topic of the supervision session.

(8) Not endorse supervisees for credentialing, employment, or completion of an academic training program if they believe the supervisees are not qualified for the endorsement. A supervisor shall develop a plan to assist a supervisee who is not qualified for endorsement to become qualified.

(9) Make financial arrangements for any remuneration with supervisees and organizations only if these arrangements are clear and in writing. All fees shall be disclosed to the supervisee prior to the beginning of supervision if practicable.


SECTION .0600 – GROUNDS FOR DISCIPLINE AND DISCIPLINARY PROCEDURES

21 NCAC 68 .0601  GROUNDS FOR PROFESSIONAL DISCIPLINE

The following are grounds for discipline:

(1) Fraud or misrepresentation in procuring or maintaining a credential:
(a) Acting as to practice, attempt to practice, or to supervise others while representing oneself to be a credentialed substance abuse professional without being duly credentialed;
(b) Falsely representing material fact to procure or maintain a credential, whether by word or conduct;
(c) Concealing requested information contained in the application;
(d) Attempting to file or filing any false or forged diploma, certificate, affidavit, transcript, identification or qualification;
(e) Submitting material which is not the work product of the applicant;
(f) Knowingly assisting another to procure or maintain his or her credential on the basis of fraud; or
(g) Assisting any uncredentialed person to practice as a credentialed substance abuse professional in violation of this code.

(2) Fraud or misrepresentation to the public:
(a) Knowingly make misleading, deceptive, false, or fraudulent misrepresentations in the practice of the profession; or
(b) Advertising or holding oneself out to the public to provide professional services for which he or she is not credentialed; or
(c) Pursuing an illegal practice as set forth in G.S. 90-113.43.

(3) Knowingly make misleading, deceptive, false, or fraudulent representations to the Board.

(4) Exploitation of a relationship with client or person served:
(a) Entering into a professional relationship in violation of Rule .0509 of this Chapter;
(b) Participating in or soliciting sexual activity or sexual contact with a current or former client or client of one's agency in violation of Rule .0509 of this Chapter;
(c) Entering into personal financial arrangements with a client or person served in violation of Rule .0511 or any other Rule.

(5) Illegal acts or practices:
(a) Violation of federal or state confidentiality statutes;
(b) Conviction for violating any controlled substances law or any driving while impaired law; or
(c) Being an accessory to or participating in dishonesty, fraud, misrepresentation or any other illegal act involving a client or person served.

(6) Professional incompetency or failure to meet standards of practice:
(a) Failure to follow the standards of skill and competence possessed and applied by professional peers certified in this State acting in the same or similar circumstances;
(b) Practicing outside his or her scope of practice:
(c) Use of drugs including alcohol to the extent that professional competency is affected or that the professional suffers impairment;
(d) Refusal to seek treatment for chemical dependency or mental health problems which impair professional performance; or
(e) Engaging in conduct that an ordinary, reasonable, and prudent person could foresee would result in harm or injury to the public.

(7) In professional relationships, the following are prohibited:

(a) Knowingly offering professional services to a client in a professional relationship with another substance abuse professional except with the knowledge of the other professional or after the termination of the client's relationship by the other professional;

(b) Sending or receiving any form of remuneration for referral of clients or persons served for substance abuse services from the professional to whom the referral was made;

(c) Accepting from or charging the client a fee for a referral to another substance abuse professional;

(d) Accepting or charging a fee when no substance abuse professional services are actually provided; except actual costs for copies and administrative services may be recovered; or

(e) Failing to cooperate with the investigations and proceedings of any professional ethics committee unless the failure is within the exercise of the professional's constitutional rights.

History Note: Authority G.S. 90-113.33; 90-113.37; 90-113.39; 90-113.40; 90-113.42; 90-113.43; 90-113.44; 90-113.45; 90-338; Temporary Adoption Eff. October 23, 1995 for a period of 180 days or until the permanent rule becomes effective, whichever is sooner; Eff. February 1, 1996; Amended Eff. April 1, 2011; August 1, 2000.

21 NCAC 68 .0602 COMPLAINT PROCEDURES

(a) Initiation. Any individual with personal knowledge that any person has violated the code of ethics, any other rules of the Board, or G.S. 90, Article 5C may file a complaint against the substance abuse professional by submitting a written complaint.

(b) Form. The complaint shall be in writing, stating the nature of the alleged offense and signed by the complainant. The complaint shall include:

(1) The name, address, and telephone number of the complainant;

(2) The name and address of the person against whom the complaint is made;

(3) A statement of the facts that describes the allegations against the person.

(c) The complaint shall be investigated as set out in Rule .0603.

(d) Following an investigation of the complaint, the ethics chairperson shall try to reach a settlement through informal procedures pursuant to G.S. 150B-22.

(e) Once the ethics committee concludes there is a basis to schedule a disciplinary hearing before the Board, the committee chairperson shall notify the person against whom the complaint is made. The notice to the respondent shall include the following:

(1) State the section(s) of the code of ethics, other rules of the Board, or G.S. 90, Article 5C which the complaint alleges has been violated;

(2) Direct that the respondent reply in writing and by certified mail within 15 days of receipt of this notice;

(3) Inform the respondent that failure to respond in writing within 15 days may result in revocation of credential.

(f) Whenever practicable, notice shall be given by personal service or by certified mail at the last known address of the respondent. If given by certified mail, it shall be deemed to have been given on the delivery date appearing on the return receipt.

(g) If notice cannot be given either by personal service or by certified mail, a notice that a complaint has been brought against the respondent shall then be given by publication. A party that cannot with due diligence be served by personal delivery or certified mail may be given notice to respond to a complaint by publication. Service of notice by publication shall consist of publishing a notice by publication once a week for three successive weeks in a newspaper that is qualified for legal advertising in accordance with G.S. 1-597 and G.S. 1-598 and circulated in the area where the party to be served is believed by the serving party to be located, or if there is no reliable information concerning the location of the party then in a newspaper circulated in the county of respondent's last address provided to the Board by the respondent. There shall be mailed to the party at or immediately prior to the first publication a copy of the notice to respond by publication to the respondent's last known address. Upon completion of such service there shall be filed with the Board by the ethics committee chairperson an affidavit showing the publication and mailing substantially in
accordance with the requirement of G.S. 1-75.10(2), the circumstances warranting the use of service by publication, and
information, if any, regarding the location of the party served. The notice shall include a statement by the Board that a
complaint has been made against the respondent that is scheduled to be heard by the Board within 90 days. The notice
shall inform respondent that respondent shall be given 30 days from the date of the last date of publication in which to
respond to the service by publication for the purpose of notifying the Board of respondent's whereabouts. Response shall
be made in writing to the Board at the address provided by the Board in its notice. If respondent provides the Board with
information whereby respondent can be served by the deadline specific in the notice, the Board shall provide notice
either personally or by certified mail as provided in Paragraph (d) of this Rule. Failure of respondent notified by
publication of a complaint brought by the Board shall be treated as a failure of respondent to reply to the charges.

(h) Failure of the respondent to reply to the charges, including each specific allegation, may be considered an admission
of the facts contained in the allegation(s).

History Note: Authority G.S. 90-113.30; 90-113.33; 90-113.44; 113.45;
Temporary Adoption Eff. October 23, 1995 for a period of 180 days or until the permanent rule
becomes effective, whichever is sooner;
Eff. February 1, 1996;
Amended Eff. April 1, 2011; August 1, 1998.

21 NCAC 68.0603 INVESTIGATION OF COMPLAINT

(a) The ethics committee chairperson, in consultation with the executive director or his or her designee and legal
counsel, shall investigate the allegations in the complaint. The chairperson may appoint any person(s) or name a
subcommittee to serve as the investigating entity to prepare an investigative report.

(b) The investigating entity may contact the complainant and person against whom the complaint is made.

(c) Upon completion of the investigation, the ethics committee chairperson in consultation with the investigating entity
can determine that:

(1) The complaint is without merit. The chairperson shall notify the complainant that the complaint is
dismissed and may notify the respondent of the dismissal;

(2) Upon completion of an investigation wherein the complaint is not dismissed, the ethics committee
chairperson may:
   (A) Offer an informal resolution pursuant to G.S. 150B-22;
   (B) Schedule a meeting with the respondent;
   (C) Refer the report to the ethics committee or its hearing panel;
   (D) Schedule a hearing before the Board;
   (E) The chairperson may take a voluntary dismissal of the case where the respondent
       relinquishes his or her credential for an agreed upon period of time.

(d) The ethics committee members or its subcommittee shall review a report referred by the ethics chairperson and may
take any of the following actions:

(1) Dismiss the complaint;

(2) Remand the matter to the investigating entity in order to obtain additional evidence sufficient upon
which to base a decision;

(3) Make a written offer of informal resolution;

(4) Schedule a meeting with the respondent whereby the dispute may be settled through informal
procedures; or

(5) Schedule a disciplinary hearing before the Board.

History Note: Authority G.S. 90-113.33; 90-113.34; 90-113.44;
Temporary Adoption Eff. October 23, 1995 for a period of 180 days or until the permanent rule
becomes effective, whichever is sooner;
Eff. February 1, 1996;
Amended Eff. April 1, 2011; August 1, 1998.

21 NCAC 68.0604 HEARING BEFORE BOARD

(a) A hearing shall be initiated:

(1) At the call of the ethics chairperson, ethics committee or ethics hearing panel in the case of a
complaint against a credentialed professional; or

(2) By any person pursuant to G.S. 150B, Article 3A on appeal of an agency decision.
(b) The hearing shall be conducted pursuant to G.S. 150B, Article 3A.

History Note: Authority G.S. 90-113.30; 90-113.33; 90-113.44; 90-113.45; Temporary Adoption Eff. October 23, 1995 for a period of 180 days or until the permanent rule becomes effective, whichever is sooner; Eff. February 1, 1996; Amended Eff. April 1, 2011.

21 NCAC 68 .0605 METHOD OF DISCIPLINE
(a) In the course of the disciplinary investigation or hearing the Board may:
   (1) Deny a credential;
   (2) Revoke a credential;
   (3) Suspend a credential until further order of the Board or for a specified period of time;
   (4) Admonish, reprimand, or censure the Respondent; or
   (5) Take other actions not to be considered a disciplinary action, including a letter of caution or letter of warning with the consent of the Respondent.

(b) Disciplinary or other actions by the Board with the Respondent's consent may be stayed for an additional period of time while the Respondent satisfies all of the conditions of the consent order based on the Respondent's failure to complete the order for reasons outside the Respondent's control.

History Note: Authority G.S. 90-113.30; 90-113.33; 90-113.34; 90-113.37; 90-113.43; 90-113.44; 90-113.45; Temporary Adoption Eff. October 23, 1995 for a period of 180 days or until the permanent rule becomes effective, whichever is sooner; Eff. February 1, 1996; Amended Eff. April 1, 2011.

21 NCAC 68 .0606 EFFECT OF ACTIONS OF COURT OR OF OTHER PROFESSIONAL GROUPS
(a) If a person credentialed or applying for a credential from the Board has been disciplined by another professional organization or convicted of a felony or a misdemeanor, the ethics committee or the Board may take this prior record into consideration when imposing disciplinary sanctions.

(b) When such prior discipline is discovered, it shall be referred to the ethics committee and shall be treated by the ethics committee in the same manner as a complaint.

(c) Such prior discipline or conviction as described in Paragraph (a) of this Rule shall be presumed to be correct and appropriate. In order to overcome this presumption, the respondent shall prove to the committee's or the Board's satisfaction at least one of the following:
   (1) The process was so flawed that the finding of the court, organization or board is without basis; or
   (2) Following an investigation by the Board, the disciplinary action by the court, organization or board does not bear a reasonable relation to the conduct complained of resulting in undue punishment.

(d) Registrants and certified professionals shall notify the Board within 30 days from the date of any conviction or finding of guilt, or pleading of nolo contendere for all criminal convictions. This reporting shall include DWI convictions but exclude all other traffic convictions pursuant to G.S. 20.

(e) Failure to report these criminal convictions shall be considered a violation of the ethical principles of conduct.

History Note: Authority G.S. 90-113.30; 90-113.33; 90-113.39; 90-113.40; 90-113.43; 90-113.44; 90-113.45; Temporary Adoption Eff. October 23, 1995 for a period of 180 days or until the permanent rule becomes effective, whichever is sooner; Eff. February 1, 1996; Amended Eff. April 1, 2011; April 1, 2003.

21 NCAC 68 .0607 DISCRETION OF BOARD
The following factors may be considered by the Board in determining the nature and severity of the disciplinary sanctions to be imposed:
   (1) The relative seriousness of the violation as it relates to assuring the citizens of North Carolina a consistently high standard of professional service and care;
   (2) The facts of the particular violation;
   (3) Any extenuating circumstances or other countervailing considerations;
(4) The number and seriousness of prior violations or complaints:
(5) Whether remedial action has previously been taken;
(6) Likelihood of reoccurrence; or
(7) Other factors which may reflect upon the competency, ethical standards, and professional conduct of
the individual.

History Note: Filed as a Temporary Adoption Eff. October 23, 1995 for a period of 180 days or until the
permanent rule becomes effective, whichever is sooner;
Authority G.S. 90-113.33; 90-113.43; 90-113.44;
Eff. February 1, 1996.

21 NCAC 68 .0608  CONFIDENTIALITY
(a) Except to pursue notification of respondent of a complaint as set out in Rule .0602 of this Section and to share
necessary information with the complainant and others involved in the investigation, at no time prior to the release of the
final decision by the Board shall any portion of the action or the whole thereof, be made public or be distributed to any
persons other than the members and chairperson of the involved committees, the Committee on Ethics, and its staff.
(b) Notwithstanding Paragraph (a) of this Rule, all materials shall be released as required by the Administrative
Procedure Act.

History Note: Filed as a Temporary Adoption Eff. October 23, 1995 for a period of 180 days or until the
permanent rule becomes effective, whichever is sooner;
Authority G.S. 90-113.30; 90-113.33; 90-113.34;
Eff. February 1, 1996;

21 NCAC 68 .0609  PETITION FOR REOPENI NG CASE
(a) If a party, upon proper notice fails to appear, the hearing may proceed without the party. However, if the inquiry is
conducted or a decision is reached in an administrative hearing in the absence of a party, or if a dismissal is entered prior
to the granting of one continuance to the person petitioning for reopening the case, that party may file a written petition
with the Board for a reopening of the case. The petition caption shall be entitled: "Petition for Reopening Hearing of
Respondent."
(b) Petitions for reopening a contested case shall not be granted unless the petitioner can show that his or her failure to
appear was justified and unavoidable and that fairness requires reopening the case.
(c) The decision of the Board to grant or deny the petition to reopen shall be in writing and a copy shall be sent to the
petitioner and made a part of the record of the hearing.

History Note: Filed as a Temporary Adoption Eff. October 23, 1995 for a period of 180 days or until the
permanent rule becomes effective, whichever is sooner;
Authority G.S. 90-113.30; 90-113.33; 90-113.34; 90-113.40; 90-113.44; 90-113.45;
Eff. February 1, 1996.

21 NCAC 68 .0610  AWARDING THE CREDENTIAL FOLLOWING DENIAL
(a) Upon a showing that there are circumstances that could establish a basis for reinstatement or otherwise awarding a
credential following its denial, the Board may grant such permission.
(b) A request for reinstatement or otherwise awarding the credential following its denial shall be initiated by the
respondent.
(c) A letter of application for reinstatement or otherwise awarding the credential following its denial shall present facts
which, if established, shall be sufficient to enable the Board to determine that the basis for the sanction no longer exists.
(d) To determine that there is a basis reinstating or awarding a credential, the Board may consider:
(1) The nature of the offense;
(2) The severity of the offense;
(3) Any resulting harm or injury to the public and its extent;
(4) The length of time since the punishment was imposed;
(5) Restitution made; and
(6) Any other factor the Board considers relevant.
21 NCAC 68 .0611 PROOF OF REHABILITATION
(a) As used in G.S. 90-113.44 and elsewhere, rehabilitation shall be sustained and continuous for at least six months.
(b) Upon consideration of the evidence evaluated as set forth in Paragraph (c) of this Rule, the required rehabilitation may be extended pursuant to the treatment recommendations as approved by the Board.
(c) Evidence for consideration shall include:
   (1) Documentation of treatment history including all assessments, evaluations, treatment, counseling, and group experiences;
   (2) Complete criminal record;
   (3) A comprehensive biopsychosocial and medical assessment that includes evidence of physical, mental, psychological and social functioning;
   (4) Medical diagnosis and treatment history and functioning prognosis;
   (5) Relapse; and
   (6) Whether or not the respondent cooperated with the Board's investigation, to include self-reporting the violation.

History Note: Authority G.S. 90-113.30; 90-113.33; 90-113.39; 90-113.40; 90-113.44; 90-113.45; Temporary Adoption Eff. October 23, 1995 for a period of 180 days or until the permanent rule becomes effective, whichever is sooner; Eff. February 1, 1996; Amended Eff. April 1, 2011.

21 NCAC 68 .0612 RESERVED FOR FUTURE CODIFICATION

21 NCAC 68 .0613 RESERVED FOR FUTURE CODIFICATION

21 NCAC 68 .0614 RESERVED FOR FUTURE CODIFICATION

21 NCAC 68 .0615 INFORMAL PROCEEDINGS
(a) In addition to formal hearings pursuant to G.S. 90-113.33 and G.S. 90-113.34, the Board may conduct informal proceedings in order to settle certain matters of dispute. A substance abuse professional practicing pursuant to a credential or other authority granted by the Board may be invited to attend a meeting with the Board or a committee of the Board on an informal basis to discuss matters as the Board may advise in its communication to the person. No public record of such proceeding shall be made nor shall any individual be placed under oath to give testimony. Information discussed by a person in an informal hearing before the Board may be used in a formal hearing against the Respondent if initiated.
(b) Attendance at such an informal meeting is not required and is at the discretion of the person so invited. A person invited to attend an informal meeting shall be entitled to have counsel present.
(c) As a result of such informal meeting, the Board may recommend:
   (1) Actions be taken by a person;
   (2) The person be offered the opportunity to enter into a consent order;
   (3) That it institute a formal public hearing concerning a person; or
   (4) That it take other public or non-public action as the Board may deem appropriate in each case.

History Note: Authority G.S. 150B-22; 150B-38(h); Eff. April 1, 2001; Amended Eff. April 1, 2011.

21 NCAC 68 .0620 PUBLICATION OF ETHICS SANCTIONS
Sanctions of censure, suspension or revocation of a credential shall be published by the Board as soon as it is practicable.

History Note: Authority G.S. 90-113.30; 90-113.33; 90-113.42; 90-113.43; 90-113.44; Eff. August 1 2002; Amended Eff. April 1, 2011.
SECTION .0700 – APPEALS PROCESS

21 NCAC 68 .0701 HEARING BEFORE BOARD: TIME REQUIREMENT
(a) Upon denial, suspension or revocation of certification, the applicant may request a hearing before the Board which will serve as the appeals hearing body.
(b) Requests for an appeals hearing shall be made in writing to the President of the Board within 30 days after receipt of the notification that certification had been denied or revoked.

History Note: Authority G.S. 90-113.30; 90-113.39; 90-113.40;
Eff. August 1, 1996;

21 NCAC 68 .0702 RIGHT TO HEARING
(a) When the Board proposes to deny, suspend or revoke a certificate of certification, or at any other time when it deems a hearing appropriate, it shall give notice to the person(s) affected of the right to an administrative hearing.
(b) The notice shall be mailed by certified mail to such person at his or her last known address.
(c) The person affected may assert his or her right to a hearing by mailing to the Board a request for an Administrative Hearing pursuant to Rule .0703 of this Section, except that attempts at informal resolution shall not be required and a hearing shall be granted to an applicant whose request is postmarked prior to the date on which the Board is scheduled to act or such other date as may be specified in the notice.

History Note: Authority G.S. 90-113.30; 90-113.39; 90-113.40;
Eff. August 1, 1996.

21 NCAC 68 .0703 REQUEST FOR HEARING
(a) Any applicant for certification or certified individual who believes his or her rights, duties or privileges have been affected by the Board's administrative action but who has not received notice of a right to an administrative hearing, may file a formal request for a hearing to determine certification or recertification.
(b) Before an applicant or certified individual may file a request, he or she shall first exhaust all reasonable efforts to resolve the issue informally with the Board.
(c) The chairperson of the Ethics Committee or his or her designee may meet with the person accused of an ethical violation, if the accused so chooses, prior to requesting additional information from the complainant.
(d) Subsequent to such informal action, if still dissatisfied, the person affected shall submit a written request to the Board in an envelope bearing the notation "REQUEST FOR ADMINISTRATIVE HEARING." That request shall contain the following information:
   (1) Name and address of the applicant or certified individual;
   (2) Concise statement of the action taken by the Board which is challenged;
   (3) Concise statement of the way in which the applicant or certified individual has been aggrieved; and
   (4) A clear and specific statement of request for a hearing.
(e) A request for a hearing shall be acknowledged promptly and, if deemed appropriate, a hearing shall be scheduled.

History Note: Authority G.S. 90-113.30; 90-113.39; 90-113.40;
Eff. August 1, 1996.

21 NCAC 68 .0704 HEARING REQUESTS
(a) The Board shall decide whether to grant a request for a hearing at its next regularly scheduled meeting following receipt of the request.
(b) A denial of a request for a hearing shall be issued promptly following a decision by the Board. Such denial shall contain a statement supporting Board denial of the request.
(c) Approval of a request for a hearing shall be signified by the issuing of a notice pursuant to Rule .0705 of this Section.

History Note: Authority G.S. 90-113.30; 90-113.39; 90-113.40;
Eff. August 1, 1996.
21 NCAC 68 .0705  NOTICE OF HEARING
Notices of administrative hearings of the Board shall include the following:

(1) The name, position, address and telephone number of a member, employee, or agent of the Board to contact for further information or discussion;
(2) A statement that failure to inform the office of the Board, within 10 days after notice is received of intent to appear at any hearing or prehearing conference scheduled in the hearing notice will be deemed a waiver of the right to a hearing;
(3) Notice of the date and place of a prehearing conference, if any;
(4) Notice of the date of the hearing; and
(5) Any other information deemed relevant to informing the party or parties as to the procedure of the hearing.

History Note: Authority G.S. 90-113.30; 90-113.39; 90-113.40;
Eff. August 1, 1996.

21 NCAC 68 .0706  WHO SHALL HEAR CONTESTED CASES
Administrative hearings shall be heard by the Board or, upon determination by the Board, the Office of Administrative Hearings. The President or his or her designee shall be responsible for the conduct of a Board hearing.

History Note: Authority G.S. 90-113.30; 90-113.39; 90-113.40;
Eff. August 1, 1996;

21 NCAC 68 .0707  PETITION FOR INTERVENTION
(a) Any person seeking to intervene in a contested case shall file a written petition with the Board. The envelope of such request shall bear the notation "PETITION TO INTERVENE IN THE CASE OF (NAME OF CASE)."
(b) The petition shall include the following information:

(1) Name and address of petitioner;
(2) Business or occupation of petitioner, where relevant;
(3) Full identification of the hearing in which petitioner is seeking to intervene;
(4) Statutory or non-statutory grounds for intervention or if none, so state;
(5) Any claim or defense, in respect of which intervention is sought; and
(6) Summary of the arguments or evidence petitioner seeks to present.
(c) The Board shall mail copies of the petition to the parties to the case, with the costs, at the rate of twenty-five cents (0.25) per page, chargeable to the petitioner.
(d) Upon the determination of the Board to allow intervention, notice of that decision shall be issued promptly to all parties as to the petitioner. In cases of discretionary intervention, such notification shall include a statement of any limitations of time, subject matter, evidence or whatever else is deemed necessary, which are imposed on the intervenor.
(e) Upon the Board's decision to deny intervention, the petitioner shall be notified promptly. Such notice shall be in writing, shall state all reasons for the decision and shall be issued to the petitioner and to all parties.

History Note: Authority G.S. 90-113.30; 90-113.39; 90-113.40;
Eff. August 1, 1996.

21 NCAC 68 .0708  TYPES OF INTERVENTION
(a) Intervention of Right. A petition to intervene of right, as provided in the North Carolina Rules of Civil Procedure, Rule 24, shall be granted if the petitioner meets the criteria of that rule and his or her petition is timely. If allowing the petition shall cause substantial prejudice to the right of the parties, substantial added expense or compellingly serious inconvenience to the parties or the office of the Board, the petition to intervene shall be deemed untimely.
(b) Permissive intervention. A petition to intervene permissively as provided in the North Carolina Rules of Civil Procedure, Rule 24, shall be granted if the petitioner meets the criteria of that rule and the Board determines that:

(1) There is sufficient legal or factual similarity between the petitioner's claimed rights, privileges or duties and those of the parties to the hearing; and
(2) Permitting intervention by the petitioner as a party will aid the purpose of the hearing.
(c) The Board may allow discretionary intervention, with whatever limits and restrictions it deems appropriate. Upon the filing of a timely petition, discretionary intervention will be deemed advisable if:
(1) The information the petitioner desires to present is relevant and not repetitious or cumulative; and
(2) The petitioner will lend added impact to the argument of the parties.

History Note: Authority G.S. 90-113.30; 90-113.39; 90-113.40;
Eff. August 1, 1996.

21 NCAC 68 .0709  DISQUALIFICATION OF BOARD MEMBER
(a) Self-disqualification of Board Member. If for any reason the Board member determines that factors render him or
her unable to conduct or participate in the hearing and perform all duties in an impartial manner, he or she shall submit,
in writing, to the Board his or her disqualification.
(b) Petition for Disqualification. If for any reason any party in a contested case believes that the Board member
personally is biased or otherwise unable to conduct or participate in the hearing and perform all duties in an impartial
manner, the party may file a sworn, notarized affidavit with the Board. The envelope of such affidavit shall bear the
notation: "AFFIDAVIT OF DISQUALIFICATION OF BOARD MEMBER IN THE CASE OF (NAME OF CASE)."
(c) Contents of Affidavit. The affidavit must state all facts the party deems relevant to the disqualification of the Board
member.
(d) Timeliness of Affidavit. An affidavit of disqualification shall be considered timely if filed at least 10 days before
commencement of the hearing. Any other affidavit shall be considered timely provided it is filed at the first opportunity
after the party becomes aware of the facts which give rise to a reasonable belief that the Board member may be
disqualified pursuant to this Rule.
(e) Procedure for Determining Disqualification is as follows:
(1) The President of the Board may appoint a member of the Board to investigate the allegations of the
affidavit and report his or her findings and recommendations to the Board.
(2) The Board, with such assistance as it deems appropriate, shall decide whether to disqualify the
challenged individual.
(3) The person whose disqualification is to be determined will not participate in the decision but will have
the right to furnish information to the Board.
(4) A record of proceedings and the reasons for decisions reached shall be maintained as part of the
contested case.
(f) Disqualification or withdrawal of a Board member because of personal bias or otherwise will not cause the hearing to
be postponed unless a quorum is not available.

History Note: Authority G.S. 90-113.30; 90-113.39; 90-113.40;
Eff. August 1, 1996.