

A BILL

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

Councilmember David A. Catania introduced the following bill, which was referred to the Committee on _____.

To amend the Health Occupations Revision Act of 1985 to define the practice of addiction counseling, to amend the definition of the practice of professional counseling, to provide for the regulation of addiction counseling by the Board of Professional Counseling, to establish licensure requirements for graduate professional counselors, to provide for certification and licensure requirements for addiction counselors

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA,

That this act may be cited as the “Practice of Professional Counseling and Addiction Counseling Amendment Act of 2009”.

Sec. 2. The District of Columbia Health Occupations Revision Act of 1985, effective March 25, 1986 (D.C. Law 6-99; D.C. Official Code § 3-1201.01 *et seq.*), is amended as follows:

(a) The table of contents is amended by inserting the following after “Sec. 841. Qualifications for licensure”:

- “TITLE VIII-C
- “CATEGORIES AND QUALIFICATIONS OF ADDICTION COUNSELORS.
- “Sec. 851. Certified addiction counselor I.
- “Sec. 852. Certified addiction counselor II.
- “Sec. 853. Certified advanced practice addiction counselor.

(b) Section 102 (D.C. Official Code § 3-1201.02) is amended as follows:

1 (1) A new paragraph (1A) is added to read as follows:

2 “(1A) “Practice of addiction counseling” means providing services, with
3 or without compensation, based on theory and methods of counseling, psychotherapy,
4 and addictionology to persons who are experiencing cognitive, affective or behavioral
5 psychosocial dysfunction as a direct or indirect result of addiction, chemical dependency,
6 abuse of chemical substances or related disorders. The practice of addiction counseling
7 includes:

8 “(A) Addiction prevention;

9 “(B) Crisis intervention;

10 “(C) Diagnosis;

11 “(D) Referral;

12 “(E) Direct treatment;

13 “(F) Follow-up, which is rendered to individuals, families, groups,
14 organizations, schools and communities who are adversely affected by addictions or
15 related disorders; and

16 “(G) The education and training of persons in the field of addiction
17 counseling.”.

18 (2) Paragraph (15A) is amended to read as follows:

19 “(15A) “Practice of professional counseling” means engaging
20 in counseling or psychotherapy activities, including cognitive behavioral therapy and
21 other modalities, with or without compensation, to facilitate human development and to
22 identify and remediate mental, emotional, behavioral conditions and associated

1 difficulties, which interfere with mental health and wellness. The practice of professional
2 counseling includes:

3 (i) The processes of conducting interviews, tests and other forms of
4 assessment for the purpose of diagnosing as outlined in the Diagnostic and Statistical
5 Manual of Disorders or other appropriate classification schemes, and determining
6 treatment goals and objectives; and

7 (ii) Assisting individuals, families and groups through a
8 professional relationship to achieve effective mental, emotional, physical, spiritual,
9 social, educational or career development and adjustment throughout the lifespan.”

10 (c) Section 213 (D.C. Official Code § 3-1202.13) is amended as follows:

11 (1) Subsection (b) is amended to read as follows:

12 “(b) The Board shall regulate the practices of professional counseling and
13 addiction counseling.”.

14 (2) Subsection (d) is amended to read as follows:

15 “(d) Of the members of the Board, 3 shall be professional counselors
16 licensed in the District with 1 of the 3 members having at least 5 years of experience in
17 the field of addiction counseling prior to his or her appointment to the board, 1 shall be an
18 educator engaged in teaching counseling, and 1 shall be a consumer member.”.

19 (d) Section 710 (D.C. Official Code § 3-1207.10) is amended as follows:

20 (1) Designate the existing language as subsection (a).

21 (2) New subsections (b) and (c) are added to read as follows:

22 “(b) The Board of Professional Counseling shall license as a graduate
23 professional counselor a person who, in addition to meeting the requirements of

1 subchapter V of this chapter, has satisfactorily completed the examination process, and
2 has completed 48 hours of graduate education leading to a Master’s degree in counseling
3 or a related subject from an accredited college or university.”.

4 “(c) The Board of Professional Counseling shall license, by endorsement,
5 a professional counselor who, in addition to meeting the requirements of subsection V of
6 this chapter, is currently licensed in another state and meets the American Association of
7 State Counseling Boards Tier II requirements which consist of:

8 “(1) Completion of at least 60 hours of postgraduate education
9 leading to a Master’s degree in counseling or a related field obtained from an institution
10 of higher education that is regionally accredited by an accrediting body recognized by the
11 U.S. Department of Education;

12 “(2) Supervision by another person which shall consist of at least
13 2 years of post-Master’s counseling experience with a minimum of 4,000 clock hours;

14 “(3) Two thousand five hundred hours of direct client contact
15 within the 4,000 clock hours;

16 “(4) A minimum of 100 hours of clinical supervision, post-
17 Master’s, of which 50 hours may be in group supervision; and

18 “(5) Five years of post-licensure clinical counseling experience at
19 the independent level.”.

20 (e) A new title VIII-C is added to read as follows:

21 “SUBCHAPTER VIII-C
22 “CATEGORIES AND QUALIFICATIONS OF ADDICTION COUNSELORS”

23 “Sec. 851. Certified addiction counselor I.

1 “(a) The Board of Professional Counseling shall certify as an addiction counselor
2 I a person who, in addition to meeting the requirements of subsection V of this chapter,
3 has:

4 “(1) Met the educational requirements of graduating with at least an
5 associate’s degree in health or human services from an accredited institution that
6 incorporates the academic coursework and minimum hours of supervised training
7 required by the regulations adopted by the Board and whose program is accredited by an
8 agency recognized by the U.S. Department of Education; or

9 “(2) Has at least 2 years of documented, supervised experience in the field
10 of addiction counseling;

11 “(3) Passed a national examination approved by the Board; and

12 “(4) Is certified by the Board or by an organization that the Board deems
13 appropriate.

14 “(b) A certified addiction counselor I shall practice addiction counseling under the
15 supervision of an authorized health care professional.

16 “Sec. 852. Certified addiction counselor II.

17 “(a) The Board of Professional Counseling shall certify as an addiction counselor
18 II a person who, in addition to meeting the requirements of this Act, has:

19 “(1) Met the educational requirements of graduating with at least a
20 bachelor’s degree in health or human services from an accredited institution that
21 incorporates the academic coursework and minimum hours of supervised training
22 required by the regulations adopted by the Board and whose program is accredited by an
23 agency recognized by the U.S. Department of Education; or

1 “(2) Has at least 5 years of documented experience in the field of
2 addiction counseling;

3 “(3) Passed a national examination approved by the Board; and

4 “(4) Is certified by the Board or by an organization that the Board deems
5 appropriate.

6 “(b) A certified addiction counselor II shall practice addiction counseling under
7 the supervision of an authorized health care professional.

8 “Sec. 853. Certified advanced practice addiction counselor.

9 “(a) The Board of Professional Counseling shall license as an advanced practice
10 addiction counselor a person who, in addition to meeting the requirements of this Act,
11 has:

12 “(1) Met the educational requirements of graduating with at least a
13 master’s or doctorate degree in health and human services from an accredited institution
14 that incorporates the academic coursework and minimum hours of supervised training
15 adopted by the Board and whose program is accredited by an agency recognized by the
16 U.S. Department of Education;

17 “(2) Passed a national examination approved by the Board; and

18 “(3) Is certified by the Board or by an organization that the Board deems
19 appropriate.

20 “Sec. 854. Waiver of requirements.

21 “(a) The Board of Professional Counseling shall waive the educational and
22 examination requirements for any applicant for certification who can demonstrate to the
23 satisfaction of the Board, that he or she has been performing the function of an addiction

1 counselor I as defined in this chapter, on a full-time or substantially full-time basis
2 continually for at least 24 months immediately preceding the effective date of the
3 Practice of Professional Counseling and Addiction Counseling Amendment Act of 2009,
4 and is qualified to do so on the basis of pertinent education, training, experience and
5 demonstrated current competence; provided, that the application is made within 24
6 months of the effective date of the Practice of Professional Counseling and Addiction
7 Counseling Amendment Act of 2009.

8 “(b) The Board of Professional Counseling shall waive the educational and
9 examination requirements for any applicant for certification who can demonstrate to the
10 satisfaction of the Board, that he or she has been performing the function of an addiction
11 counselor II as defined in this chapter, on a full-time or substantially full-time basis
12 continually for at least 60 months immediately preceding the effective date of the
13 Practice of Professional Counseling and Addiction Counseling Amendment Act of 2009,
14 and is qualified to do so on the basis of pertinent education, training, experience and
15 demonstrated current competence; provided, that the application is made within 24
16 months of the effective date of the Practice of Professional Counseling and Addiction
17 Counseling Amendment Act of 2009.”.

18 (e) Section 904 (D.C. Official Code § 3-1209.04) is repealed.

19 Sec. 3. Fiscal Impact Statement.

20 The Council adopts the fiscal impact statement in the committee report as the
21 fiscal impact statement required by section 602(c)(3) of the District of Columbia Home
22 Rule Act of 1973, as amended, approved December 24, 1973 (87 Stat. 813; D.C. Official
23 Code § 1-206.02(c)(3)).

1 Sec. 4. Effective Date.

2 This act shall take effect following approval by the Mayor (or in the event of veto
3 by the Mayor, action by the Council to override the veto), a 30-day period of
4 Congressional review as provided in section 602(c)(1) of the District of Columbia Home
5 Rule Act of 1973, as amended, approved December 24, 1973 (87 Stat. 813; D.C. Official
6 Code § 1-206.02(c)(1)), and publication in the District of Columbia Register.