

CHAPTER 148C

CHEMICAL DEPENDENCY COUNSELORS,  
LICENSING

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148C.01 DEFINITIONS.

*[For text of subds 1 and 2, see M.S.1992]*

Subd. 3. **Other titles.** For the purposes of sections 148C.01 to 148C.11 and 595.02, subdivision 1, all individuals, except as provided in section 148C.11, who practice chemical dependency counseling as defined in subdivision 2, regardless of their titles, shall be covered by sections 148C.01 to 148C.11. This includes, but is not limited to, individuals who may refer to themselves as "alcoholism counselor," "drug abuse therapist," "chemical dependency recovery counselor," "chemical dependency relapse prevention planner," "addiction therapist," "chemical dependency intervention specialist," "family chemical dependency counselor," "chemical health specialist," "chemical health coordinator," and "substance abuse counselor."

*[For text of subds 4 and 5, see M.S.1992]*

Subd. 6. **Commissioner.** "Commissioner" means the commissioner of health.

*[For text of subds 7 to 9, see M.S.1992]*

**History:** *ISp1993 c 1 art 3 s 2,3*

148C.02 CHEMICAL DEPENDENCY COUNSELING LICENSING ADVISORY COUNCIL.

Subdivision 1. **Membership; staff.** (a) The chemical dependency counseling licensing advisory council consists of 13 members. The commissioner shall appoint:

- (1) except for those members initially appointed, seven members who must be licensed chemical dependency counselors;
- (2) three members who must be public members as defined by section 214.02;
- (3) one member who must be a director or coordinator of an accredited chemical dependency training program; and
- (4) one member who must be a former consumer of chemical dependency counseling service and who must have received the service more than three years before the person's appointment.

The American Indian advisory committee to the department of human services chemical dependency office shall appoint the remaining member.

(b) The provision of staff, administrative services, and office space are as provided in chapter 214.

Subd. 2. **Duties.** The commissioner, after consultation with the advisory council, shall:

- (1) develop rules for the licensure of chemical dependency counselors; and
- (2) administer or contract for the competency testing, licensing, and ethical review of chemical dependency counselors.

**History:** *ISp1993 c 1 art 3 s 4*

**148C.03 DUTIES OF THE COMMISSIONER.**

Subdivision 1. **General.** The commissioner shall:

- (a) adopt and enforce rules for licensure of chemical dependency counselors and for regulation of professional conduct. The rules must be designed to protect the public;
- (b) adopt rules establishing standards and methods of determining whether applicants and licensees are qualified under section 148C.04. The rules must provide for examinations; establish standards for professional conduct, including adoption of a professional code of ethics; and provide for sanctions as described in section 148C.09;
- (c) hold examinations at least twice a year to assess applicants' knowledge and skills. The examinations must be written and oral and may be administered by the commissioner or by a nonprofit agency under contract with the commissioner to administer the licensing examinations. Examinations must minimize cultural bias and must be balanced in various theories relative to practice of chemical dependency;
- (d) issue licenses to individuals qualified under sections 148C.01 to 148C.11;
- (e) issue copies of the rules for licensure to all applicants;
- (f) establish and implement procedures, including a standard disciplinary process and a code of ethics, to ensure that individuals licensed as chemical dependency counselors will comply with the commissioner's rules;
- (g) establish, maintain, and publish annually a register of current licensees;
- (h) establish initial and renewal application and examination fees sufficient to cover operating expenses of the commissioner;
- (i) educate the public about the existence and content of the rules for chemical dependency counselor licensing to enable consumers to file complaints against licensees who may have violated the rules; and
- (j) evaluate the rules in order to refine and improve the methods used to enforce the commissioner's standards.

Subd. 2. **Continuing education committee.** The commissioner shall appoint or contract for a continuing education committee of five persons, including a chair, which shall advise the commissioner on the administration of continuing education requirements in section 148C.05, subdivision 2.

Subd. 3. **Restrictions on membership.** A member or an employee of the entity that carries out the functions under this section may not be an officer, employee, or paid consultant of a trade association in the counseling services industry.

**History:** *1Sp1993 c 1 art 3 s 5-7*

**148C.04 REQUIREMENTS FOR LICENSURE.**

*[For text of subd 1, see M.S.1992]*

Subd. 2. **Fee.** Each applicant shall pay a nonrefundable fee set by the commissioner. Fees paid to the commissioner shall be deposited in the special revenue fund.

Subd. 3. **Licensing requirements for chemical dependency counselor; evidence.** (a) To be licensed as a chemical dependency counselor, an applicant must meet the requirements in clauses (1) to (3).

(1) Except as provided in subdivision 4, the applicant must have received an associate degree including 270 clock hours of chemical dependency education and 880 clock hours of chemical dependency practicum.

(2) The applicant must have completed a written case presentation and oral examination that demonstrates competence in the 12 core functions.

(3) The applicant must have satisfactorily passed a written examination as established by the commissioner.

(b) To be licensed as a chemical dependency counselor, an applicant must furnish evidence satisfactory to the commissioner that the applicant has met the requirements of paragraph (a).

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Subd. 4. **Additional licensing requirements.** Beginning five years after the effective date of the rules authorized in section 148C.03, subdivision 1, an applicant for licensure must have received a bachelor's degree in a human services area, and must have completed 480 clock hours of chemical dependency education and 880 clock hours of chemical dependency practicum.

**History:** *1Sp1993 c 1 art 3 s 8-10*

## 148C.05 LICENSE RENEWAL REQUIREMENTS.

*[For text of subd 1, see M.S.1992]*

Subd. 2. **Continuing education.** At the time of renewal, each licensee shall furnish evidence satisfactory to the commissioner that the licensee has completed at least the equivalent of 40 clock hours of continuing professional postdegree education every two years, in programs approved by the commissioner, and that the licensee continues to be qualified to practice under sections 148C.01 to 148C.11.

**History:** *1Sp1993 c 1 art 3 s 11*

## 148C.06 TRANSITION PERIOD.

For two years from the effective date of the rules authorized in section 148C.03, subdivision 1, the commissioner shall issue a license without examination to an applicant if the applicant meets one of the following qualifications:

(a) is credentialed as a certified chemical dependency counselor (CCDC) or certified chemical dependency counselor reciprocal (CCDCR) by the Institute for Chemical Dependency Professionals of Minnesota, Inc.;

(b) has three years or 6,000 hours of supervised chemical dependency counselor experience as defined by the 12 core functions, 270 clock hours of chemical dependency training, 300 hours of chemical dependency practicum, and has successfully completed the requirements in section 148C.04, subdivision 3, paragraph (a), clauses (2) and (3);

(c) has five years or 10,000 hours of chemical dependency counselor experience as defined by the 12 core functions, 270 clock hours of chemical dependency training, and has successfully completed the requirements in section 148C.04, subdivision 3, paragraph (a), clause (2) or (3), or is credentialed as a certified chemical dependency practitioner (CCDP) by the Institute for Chemical Dependency Professionals of Minnesota, Inc.; or

(d) has seven years or 14,000 hours of supervised chemical dependency counselor experience as defined by the 12 core functions and 270 clock hours of chemical dependency training with 60 hours of this training occurring within the past five years.

Beginning two years after the effective date of the rules authorized in section 148C.03, subdivision 1, no person may be licensed without meeting the requirements in section 148C.04, subdivision 3, paragraph (a), clauses (2) and (3).

**History:** *1Sp1993 c 1 art 3 s 12*

## 148C.11 EXCEPTIONS TO LICENSE REQUIREMENT.

*[For text of subds 1 and 2, see M.S.1992]*

Subd. 3. **Federally recognized tribes and private nonprofit agencies with a minority focus.** (a) The licensing of chemical dependency counselors who are employed by federally recognized tribes shall be voluntary.

(b) The commissioner shall develop special licensing criteria for issuance of a license to chemical dependency counselors who: (1) are members of ethnic minority groups; and (2) are employed by private, nonprofit agencies, including agencies operated by private, nonprofit hospitals, whose primary agency service focus addresses ethnic minority populations. These licensing criteria may differ from the licensing criteria specified in section 148C.04. To develop these criteria, the commissioner shall establish

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a committee comprised of but not limited to representatives from the council on hearing impaired, the council on affairs of Spanish-speaking people, the council on Asian-Pacific Minnesotans, the council on Black Minnesotans, and the Indian affairs council.

**Subd. 4. Hospital chemical dependency counselors.** Except as provided in subdivision 3, paragraph (b), the licensing of hospital chemical dependency counselors shall be voluntary. Hospitals employing chemical dependency counselors shall not be required to employ licensed chemical dependency counselors, nor shall they require their chemical dependency counselors to be licensed.

**Subd. 5. City, county, and state agency chemical dependency counselors.** The licensing of city, county, and state agency chemical dependency counselors shall be voluntary. City, county, and state agencies employing chemical dependency counselors shall not be required to employ licensed chemical dependency counselors, nor shall they require their chemical dependency counselors to be licensed.

**History:** 1993 c 13 art 1 s 28; 1Sp1993 c 1 art 3 s 13-14