

VOLUME 49, ISSUE 7
ISSUE DATE: **APRIL 3, 2017**
RULE ADOPTIONS

LAW AND PUBLIC SAFETY
DIVISION OF CONSUMER AFFAIRS
STATE BOARD OF MARRIAGE AND FAMILY THERAPY EXAMINERS
ALCOHOL AND DRUG COUNSELOR COMMITTEE

Readoption with Amendments: N.J.A.C. 13:34C

Adopted Recodification with Amendment: N.J.A.C. 13:34C-5.4 as 5.3

Adopted Repeals and New Rules: N.J.A.C. 13:34C-1.5 and 1.6

Adopted New Rule: N.J.A.C. 13:34C-1.7

Alcohol and Drug Counselor Committee Rules

Proposed: October 17, 2016, at 48 N.J.R. 2118(a).

Adopted: February 16, 2017, by the State Board of Marriage and Family Therapy Examiners, Ben K. Beitin, Ph.D, President.

Filed: March 3, 2017, as R.2017 d.060, **without change, but with the proposed amendment to N.J.A.C. 13:34C-5.2(d) not adopted, but still pending.**

Authority: N.J.S.A. 45:2D-1 et seq.

Effective Dates: March 3, 2017, Readoption;

April 3, 2017, Amendments, Recodification, Repeals, and New Rules.

Expiration Date: March 3, 2024.

Summary of Public Comments and Agency Responses:

The official comment period ended December 16, 2016. The Alcohol and Drug Counselor Committee (the Committee) received comments from Diane Utterer, MPA, CPS, CEO & Executive Director, and Anthony Polizzi, LCADC, Lead Trainer, New Jersey Prevention Network.

1. COMMENT: The commenter supports the proposed changes concerning reactivation and reinstatement of the credentials, as well as the changes in language and content concerning completion of the application and renewal process. The commenter also supports the inclusion in the scope of practice of the ordering and collection of specimen samples by certified and licensed alcohol and drug counselors.

RESPONSE: The Committee thanks the commenter for its support.

2. COMMENT: The commenter recommends that the Committee consider the following additional changes to the initial education requirements. Specifically, the commenter recommends realignment of domains to match those suggested by the International Certification & Reciprocity Consortium (ICRC). In addition, the commenter suggests that the Committee amend the definition of scope of treatment based on training and to match the United States Department of Mental Health Services Administration Center for Substance Abuse and Mental Health Services Administration (SAMHSA) Career Ladder. The commenter also recommends additional courses reflecting best practices be included in the core curriculum, and flexibility to add/replace electives as emerging trends develop and approaches to treatment change.

RESPONSE: The Committee thanks the commenter for its input. The Committee is aware that in 2010, SAMHSA developed a model scope of practice and career ladder for those treating people with substance use disorders and co-occurring disorders. The Committee is also aware that New Jersey is one of only two states that continues to use the 12 core functions and that there is a national trend towards establishing a three-tier licensing model for alcohol and drug counselors: master's level; bachelor's and associate's level; and non-degree level. The Committee, however, does not have the authority to amend N.J.S.A. 45:2D-1 et seq., which statutorily establishes the scope of practice for licensed and certified alcohol and drug counselors and the licensing categories under the Committee's jurisdiction.

Federal Standards Statement

A Federal standards analysis is not required because the readopted rules with amendments, repeals, recodifications, and new rules are governed by N.J.S.A. 45:2D-1 et seq., and are not subject to any Federal requirements or standards. Although the rules in N.J.A.C. 13:34C are not subject to any Federal requirements or standards, where deemed appropriate, the Committee has voluntarily required licensees and certificate holders to comply with applicable Federal laws and regulations. Specifically, the proposed readoption with amendments of N.J.A.C. 13:34C-3.1 requires licensees and certificate holders to collect specimen samples for drug testing in accordance with SAMHSA standards. N.J.A.C. 13:34C-4.5 requires all licensees and certificate holders to comply with the provisions of 42 CFR Part 2, concerning confidentiality of substance abuse records.

Full text of the readopted rules can be found in the New Jersey Administrative Code at N.J.A.C. 13:34C.

Full text of the adopted amendments, recodification, and new rules follows:

SUBCHAPTER 1. GENERAL PROVISIONS

13:34C-1.2 Definitions

(a) The following words and terms, when used in this chapter, shall have the following meanings, unless the context clearly indicates otherwise:

...

"Address of record" means an address designated by a licensee or certificate holder, which is part of the licensee's or certificate holder's record and which will be disclosed to the public. "Address of record" may be a licensee's or certificate holder's home, business, or mailing address, but shall not be a post office box, unless the licensee also provides another address that includes a street, city, state, and zip code.

. . .

"Counseling" means the utilization of special skills to assist individuals, families, significant others, or groups in achieving an objective through exploration of a problem and its ramifications; examination of attitudes and feelings; consideration of alternative solutions; decision making; and recovery maintenance.

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13:34C-1.3 Office of the Alcohol and Drug Counselor Committee

The office of the Committee shall be maintained at 124 Halsey Street, Newark, New Jersey. The mailing address of the Committee is PO Box 45040, Newark, New Jersey 07101. The website of the Committee is www.njconsumeraffairs.gov/adc.

13:34C-1.5 License or certification renewal

(a) The Committee shall send a notice of renewal to each licensee or certificate holder, at least 60 days prior to the expiration of the license or certification. The notice of renewal shall explain inactive renewal and advise the licensee or certificate holder of the option to renew as inactive. If the notice to renew is not sent 60 days prior to the expiration date, no monetary penalties or fines shall apply to the holder for failure to renew, provided that the license or certification is renewed within 60 days from the date the notice is sent or within 30 days following the date of license or certification expiration, whichever is later.

(b) A licensee or certificate holder shall renew his or her license or certification, as applicable, for a period of two years from the last expiration date. The licensee or certificate holder shall submit a renewal application to the Committee, along with the renewal fee set forth in N.J.A.C. 13:34C-1.11, prior to the date of license or certification expiration.

(c) A licensee or certificate holder may renew his or her license or certification, as applicable, by choosing inactive status. A licensee or certificate holder electing to renew his or her license or certification as inactive shall not engage in the practice of alcohol and drug counseling, or hold himself or herself out as eligible to engage in the practice of alcohol and drug counseling, in New Jersey, until such time as the license or certification is returned to active status.

(d) If a licensee or certificate holder does not renew the license or certification prior to its expiration date, the licensee or certificate holder may renew the license or certification within 30 days of its expiration by submitting a renewal application, a renewal fee, and a late fee as set forth in N.J.A.C. 13:34C-1.11. During this 30-day period, the license or certification shall be valid and the licensee or certificate holder shall not be deemed practicing without a license or certification, as applicable.

(e) A licensee or certificate holder who fails to submit a renewal application within 30 days of license or certification expiration shall have his or her license or certification, as applicable, suspended without a hearing.

(f) A licensee or certificate holder who continues to engage in the practice of alcohol and drug counseling with a suspended license or certification shall be deemed to be engaging in the unauthorized practice of alcohol and drug counseling and shall be subject to action consistent with N.J.S.A. 45:1-14 et seq., even if no notice of suspension has been provided to the individual.

13:34C-1.6 License or certification reactivation

(a) A licensee or certificate holder who holds an inactive license or certification pursuant to N.J.A.C. 13:34C-1.5(c) may apply to the Committee for reactivation of the inactive license or certification. A licensee or certificate holder seeking reactivation of an inactive license or certification shall submit:

1. A renewal application;

2. A certification of employment listing each job held during the period the license or certification was inactive, which includes the name, address, and telephone number of each employer;

3. The renewal fee for the biennial period for which reactivation is sought as set forth in N.J.A.C. 13:34C-1.11.

i. If the renewal application is sent during the first year of the biennial period, the applicant shall submit the renewal fee as set forth in N.J.A.C. 13:34C-1.11.

ii. If the renewal application is sent during the second year of the biennial period, the applicant shall submit one-half of the renewal fee as set forth in N.J.A.C. 13:34C-1.11; and

4. Evidence of having completed all continuing education credits that were required to be completed during the biennial period immediately prior to the renewal period for which reactivation is sought, consistent with the requirements set forth in N.J.A.C. 13:34C-5.1 and 5.2.

i. An applicant who holds a valid, current license or certification, as applicable, in good standing issued by another state to engage in the practice of alcohol and drug counseling and submits proof of having satisfied that state's continuing education requirements for that license or certification shall be deemed to have satisfied the requirements of this paragraph. If the other state does not have any continuing education requirements, the requirements of this paragraph apply.

ii. To the extent that specific courses are required to satisfy the continuing education requirement for, or are required to have been satisfied prior to, the biennial period for which reactivation is sought, the Committee will allow applicants to take the courses within 12 months following reactivation.

(b) If a Committee review of an application establishes a basis for concluding that there may be practice deficiencies in need of remediation prior to reactivation, the Committee may require the applicant to submit to and successfully pass an examination or an assessment of skills, a refresher course, or other requirements as determined by the Committee prior to reactivation of the license or certification. If that examination or assessment identifies deficiencies or educational needs, the Committee may require the applicant, as a condition of reactivation of licensure or certification, to take and successfully complete any education or training or to submit to any supervision, monitoring, or limitations as the Committee determines is necessary to assure that the applicant practices with reasonable skill and safety. The Committee, in its discretion, may restore the license or certification subject to the applicant's completion of the training within a period of time prescribed by the Committee following the restoration of the license or certification. In making its determination whether there are practice deficiencies requiring remediation, the Committee shall consider the following non-exhaustive issues:

1. Length of duration license or certification was inactive;
2. Employment history;
3. Professional history;
4. Disciplinary history and any action taken against the applicant's license or certification by any licensing board;
5. Actions affecting the applicant's privileges taken by any institution, organization, or employer related to the practice of alcohol and drug counseling or other professional or occupational practice in New Jersey, any other state, the District of Columbia, or in any other jurisdiction;
6. Pending proceedings against a professional or occupational license or certification issued to the licensee or certificate holder by a professional board in New Jersey, any other state, the District of Columbia, or in any other jurisdiction; and
7. Civil litigation related to the practice of alcohol and drug counseling or other professional or occupational practice in New Jersey, any other state, the District of Columbia, or in any other jurisdiction.

13: 34C-1.7 License or certification reinstatement

(a) A licensee or certificate holder who has had his or her license or certification suspended pursuant to N.J.A.C. 13: 34C-1.5(e) may apply to the Committee for reinstatement. A licensee or certificate holder applying for reinstatement shall submit:

1. A reinstatement application;
2. A certification of employment listing each job held during the period of suspended license or certification, which includes the names, addresses, and telephone number of each employer;

3. The renewal fee for the biennial period for which reinstatement is sought;
 4. The past due renewal fee for the biennial period immediately preceding the renewal period for which reinstatement is sought;
 5. The reinstatement fee set forth in N.J.A.C. 13:34C-1.11; and
 6. Evidence of having completed all continuing education credits that were required to be completed during the biennial period immediately prior to the renewal period for which reinstatement is sought, consistent with the requirements set forth in N.J.A.C. 13:34C-5.1 and 5.2.
 - i. An applicant who holds a valid, current license or certification, as applicable, in good standing issued by another state to engage in the practice of alcohol and drug counseling and submits proof of having satisfied that state's continuing education requirements for that license [page=666] or certification, shall be deemed to have satisfied the requirements of this paragraph. If the other state does not have any continuing education requirements, the requirements of this paragraph apply.
 - ii. To the extent that specific courses are required to satisfy the continuing education requirement for, or are required to have been satisfied prior to, the biennial period for which reinstatement is sought, the Committee will allow applicants to take the courses within 12 months following reinstatement.
- (b) If a Committee review of an application establishes a basis for concluding that there may be practice deficiencies in need of remediation prior to reinstatement, the Committee may require the applicant to submit to and successfully pass an examination or an assessment of skills, a refresher course, or other requirements as determined by the Committee prior to reinstatement of the license or certification. If that examination or assessment identifies deficiencies or educational needs, the Committee may require the applicant, as a condition of reinstatement of licensure, to take and successfully complete any education or training or to submit to any supervision, monitoring, or limitations as the Committee determines is necessary to assure that the applicant practices with reasonable skill and safety. The Committee, in its discretion, may restore the license or certification, as applicable, subject to the applicant's completion of the training within a period of time prescribed by the Committee following the restoration of the license or certification. In making its determination whether there are practice deficiencies requiring remediation, the Committee shall consider the following non-exhaustive issues:
1. Length of duration license or certification was suspended;
 2. Employment history;
 3. Professional history;
 4. Disciplinary history and any action taken against the applicant's license by any licensing board;

5. Actions affecting the applicant's privileges taken by any institution, organization, or employer related to the practice of alcohol and drug counseling or other professional or occupational practice in New Jersey, any other state, the District of Columbia, or in any other jurisdiction;

6. Pending proceedings against a professional or occupational license or certification issued to the licensee or certificate holder by a professional board in New Jersey, any other state, the District of Columbia, or in any other jurisdiction; and

7. Civil litigation related to the practice of alcohol and drug counseling or other professional or occupational practice in New Jersey, any other state, the District of Columbia, or in any other jurisdiction.

13:34C-1.8 Licensee to display notice or give notice; licensee to display license

(a) All licensees, conducting independent practice, shall ensure that the following notice is either prominently displayed in a waiting room or other area where it will be visible to the licensee's clients or provided to the licensee's clients in writing:

"Alcohol and drug counselors are licensed by the Board of Marriage and Family Therapy Examiners, Alcohol and Drug Counselor Committee, an agency of the **Division of Consumer Affairs**. Any member of the consuming public having a complaint concerning the manner in which the alcohol and drug counseling practice is conducted or services are provided should notify the Alcohol and Drug Counselors Committee, PO Box 45040, 124 Halsey Street, Newark, New Jersey 07101, www.njconsumeraffairs.gov/adc, or the New Jersey **Division of Consumer Affairs**, Post Office Box 45027, 124 Halsey Street, Newark, New Jersey 07101, www.njconsumeraffairs.gov."

(b) (No change.)

13:34C-1.9 Suspension, revocation, or refusal of licensure or certification

(a) (No change.)

(b) In accordance with N.J.S.A. 45:1-21, the Committee may refuse to admit a person to an examination or may refuse to issue or may suspend or revoke any certificate or license issued by the Board upon proof that the applicant or holder of such certificate or license:

1.-4. (No change.)

5. Has engaged in professional or occupational misconduct including, but not limited to, the following:

i. Offering to perform or performing services that are beyond the licensee or certificate holder's education, training, or experience;

ii.-xiv. (No change.)

6.-13. (No change.)

Recodify existing 13:34C-1.9 and 1.10 as 13:34C-1.10 and 1.11 (No change in text.)

SUBCHAPTER 2. APPLICATION PROCEDURE; APPLICANT QUALIFICATIONS

13:34C-2.2 Application procedure: licensed clinical alcohol and drug counselor

(a) An applicant for licensure as a clinical alcohol and drug counselor shall submit the following to the Committee:

1. (No change.)
2. The non-refundable application fee set forth in N.J.A.C. 13:34C-1.11;
- 3.-4. (No change.)
5. A Certification and Authorization Form for a Criminal History Background Check.

(b) An applicant shall furnish evidence that the applicant has:

1. (No change.)
2. Successfully completed the following requirements to be a certified alcohol and drug counselor consistent with the requirements of N.J.A.C. 13:34C-2.3(b)2 and N.J.S.A. 45:2D-5:
 - i. Three hundred hours of supervised practical training in alcohol and drug counseling;
 - ii. Two years of supervised work experience within five consecutive years immediately preceding the date of submission of the application;
 - iii. Two hundred seventy hours of alcohol and drug education;
 - iv. Attended the 30 alcohol and drug abuse self-help group meetings;
 - v. A written examination developed and prepared by the ICRC, or its successor; and
 - vi. An oral examination developed and prepared by the ICRC, or its successor, on the applicant's written case presentation.

(c)-(e) (No change.)

13:34C-2.3 Application procedure: certified alcohol and drug counselor

(a) An applicant for certification as a certified alcohol and drug counselor shall submit the following to the Committee:

1. (No change.)

2. The non-refundable application fee set forth in N.J.A.C. 13:34C-1.11;

3.-4. (No change.)

5. A Certification and Authorization Form for a Criminal History Background Check.

(b) An applicant shall furnish evidence that the applicant has:

1. (No change.)

2. Completed 300 hours of supervised practical training in alcohol and drug counseling distributed among all of the following 12 core functions: screening, intake, orientation, assessment, treatment planning, counseling-individual, group and family, case management, crisis intervention, client education, referral, consultation and recordkeeping. This practical training may be part of the work experience pursuant to (b)3 below and may be completed under more than one agency or supervisor;

3. Completed two years of supervised work experience within five consecutive years immediately preceding the date of submission of the application. The two years of supervised work experience may be paid or voluntary time working directly with alcohol or other drug clients. Paid or voluntary time shall be directly related to the 12-core functions as set forth at (b)2 above;

i.-ii. (No change.)

iii. Continuing education courses, workshops, seminars, unsupervised work experience, or formal education (except for the supervised practical training pursuant to (b)2 above) may not be substituted for the required work experience;

[page=667] 4.-7. (No change.)

(c)-(e) (No change.)

13:34C-2.5 Qualification review process: licensure and certification

(a) (No change.)

(b) No applicant shall be licensed or certified by the Board, unless a majority of the full Committee first determines that the applicant has met the education and experience requirements of N.J.A.C. 13:34C-2.3(b)1 through 5 and successfully completed the written and oral examinations required pursuant to N.J.A.C. 13:34C-2.3(b)6 and 7. Exempted from this subsection are those applicants who qualify as specified pursuant to N.J.A.C. 13:34C-1.10, 2.1, and 2.4.

(c)-(d) (No change.)

13:34C-2.6 Exceptions to licensure and certification

(a) The licensure and certification rules in this subchapter shall not apply to:

1.-2. (No change.)

3. The activities and services of an imam, rabbi, priest, minister, Christian Science practitioner, or clergy of any religious denomination or sect, when engaging in activities, that are within the scope of the performance of the person's regular or specialized ministerial duties and for which no separate charge is made, or when these activities are performed, with or without charge, for or under the auspices or sponsorship, individually or in conjunction with others, of an established and legally recognizable church, denomination, or sect, and when the person rendering services remains accountable to the established authority thereof;

4. A student, intern, or trainee in alcohol and drug addiction counseling pursuing a course of study in counseling in a regionally accredited institution of higher education or training institution, if these activities are performed under supervision and constitute a part of the supervised course of study; or

5. A person doing work of an alcohol or drug counseling nature, or advertising those services, when acting within the scope of the person's profession or occupation and doing work consistent with the person's training, including physicians, clinical social workers, professional counselors, marriage and family therapists, psychologists, nurses, or any other profession or occupation licensed by the State, or students within accredited programs of these professions, if the person does not hold oneself out to the public as possessing a license or certification issued pursuant to the Act or this chapter.

13:34C-2.7 Credit towards licensure for education, training, and experience received while serving as a member of the Armed Forces: licensed clinical alcohol and drug counselor

(a)-(e) (No change.)

13:34C-2.8 Credit towards certification for education, training, and experience received while serving as a member of the Armed Forces: certified alcohol and drug counselor

(a)-(e) (No change.)

SUBCHAPTER 3. GENERAL OBLIGATIONS

13:34C-3.1 Standards of practice; scope of practice

(a) The scope of practice of a certified alcohol and drug counselor includes, but is not limited to:

1. The 12-core functions: screening, intake, orientation, assessment, treatment planning, counseling, case management, crisis intervention, education and prevention, referral, consultation, and reporting and recordkeeping; and

2. The collection of specimen (urine, hair, or saliva) samples for drug testing in accordance with standards established by the United States Department of Mental Health Services Administration Center for Substance Abuse and Mental Health Services Administration

(SAMHSA), as set forth in the Clinical Drug Testing in Primary Care. Technical Assistance Publication (TAP) 32. HHS Publication No. (SMA) 12-4668. Rockville, MD: Substance Abuse and Mental Health Services Administration, 2012, which is incorporated herein by reference, as amended and supplemented. The publication is available online at <http://store.samhsa.gov/product/TAP-32-Clinical-Drug-Testing-in-Primary-Care/SMA12-4668>.

Recodify existing (c)-(d) as (b)-(c) (No change in text.)

(d) The scope of practice of a licensed clinical alcohol and drug counselor includes, but is not limited to:

1. The 12 core functions: screening, intake, orientation, assessment, treatment planning, counseling, case management, crisis intervention, education and prevention, referral, consultation, and reporting and recordkeeping;
2. Performance of clinical supervision pursuant to N.J.A.C. 13:34C-6.2, 6.3, and 6.4 for alcohol and drug counselor trainees and certified alcohol and drug counselors;
3. Diagnosis of substance-related disorders as described in the current edition of the Diagnostic and Statistical Manual of Mental Disorders (DSM) of the American Psychiatric Association; and
4. The ordering and collection of specimen (urine, hair, or saliva) samples for drug testing in accordance with standards established by SAMHSA, as set forth in the Clinical Drug Testing in Primary Care. Technical Assistance Publication (TAP) 32. HHS Publication No. (SMA) 12-4668. Rockville, MD: Substance Abuse and Mental Health Services Administration, 2012, which is incorporated herein by reference, as amended and supplemented. The publication is available online at <http://store.samhsa.gov/product/TAP-32-Clinical-Drug-Testing-in-Primary-Care/SMA12-4668>.

13:34C-3.4 Duty to report

(a) A licensee or certificate holder shall notify the Committee of misconduct of another alcohol or drug counselor that the licensee or certificate holder has reason to believe has not been disclosed to the Committee. Such misconduct includes specific acts or omissions or the fact that a counselor has:

1.-4. (No change.)

5. Engaged in any prohibited act listed in N.J.A.C. 13:34C-1.9(b) and 3.2.

(b) A licensee or certificate holder shall notify the Committee of one's own misconduct, which the licensee or certificate holder has reason to believe has not been disclosed to the Committee. Such misconduct includes specific acts or omissions or the fact that a counselor has:

1.-4. (No change.)

5. Engaged in any prohibited act listed in N.J.A.C. 13:34C-1.9(b), 3.2, and 3.3.

(c) (No change.)

SUBCHAPTER 4. CLIENT RECORDS; CONFIDENTIALITY

13:34C-4.1 Preparation and maintenance of client records

(a)-(b) (No change.)

(c) The licensee or certificate holder shall include in the client record material pertinent to the nature and extent of the professional interaction, as applicable:

1. The client name, address, and telephone numbers;

2.-9. (No change.)

10. A treatment plan and recovery maintenance plan focused on the specific needs of the individual client;

11.-24. (No change.)

(d)-(e) (No change.)

(f) The licensee or certificate holder shall retain the permanent client record for at least seven years from the date of last entry, unless otherwise provided by law. For clients who are minors, a licensee or certificate holder shall retain the records for seven years from the date of last entry or two years past the client's 18th birthday, whichever is later.

(g) (No change.)

(h) Subsections (e), (f), and (g) above shall not apply to a licensee or certificate holder employed in an agency setting who does not, by agency policy, have control over client records.

(i) Licensees or certificate holders practicing in a substance abuse treatment facility licensed by the Division of Mental Health and Addiction Services, or in an exempt setting as defined in N.J.A.C. 13:34C-2.6, shall not be required to comply with this section, if the [page=668] facility's policies and/or procedures regarding preparation and maintenance of client records differ from this section.

SUBCHAPTER 5. CONTINUING EDUCATION

13:34C-5.2 Continuing education contact hour requirements

(a)-(d) (No change.)

(e) All licensees and certificate holders shall complete a minimum of three contact hours of the 40 or 60 contact hours of continuing education, as applicable, required by N.J.A.C.

13:34C-5.1 in the subject area of social and cultural competence in every biennial period. For the purposes of this subsection, cultural competence includes, but is not limited to, an understanding of the cultural context of relationships; issues and trends in a diverse society related to such factors as culture, ethnicity, nationality, age, gender, sexual orientation, mental and physical characteristics, education, family values, religious and spiritual values, socioeconomic status, and unique characteristics of individuals, couples, families, ethnic groups, and communities, including any of the following:

1.-6. (No change.)

(f) (No change.)

13:34C-5.3 Continuing education contact hour calculations

(a) (No change.)

(b) A licensee or certificate holder shall complete and be able to verify such completion of a continuing education course or program in order to receive continuing education credits. The Committee shall grant a licensee or certificate holder continuing education credit for each biennial renewal period as follows:

1.-2. (No change.)

3. Successfully completing an undergraduate, graduate or post graduate coursework in the content areas listed at N.J.A.C. 13:34C-5.4(d), at a regionally accredited institution of higher education: 15 contact hours of continuing education for each semester course credit awarded;

4.-5. (No change.)

13:34C-5.4 (No change in text.)

SUBCHAPTER 6. CLINICAL SUPERVISION

13:34C-6.4 Clinical supervision of an agency practice

(a) The Committee shall accept clinical supervision requirements in agencies licensed by the Department of Human Services, Division of Mental Health and Addiction Services, as substance abuse treatment facilities as they relate to the clinical supervision of alcohol and drug counselors, unless otherwise specified in this subchapter.

(b) (No change.)

(c) If the Committee is advised of inadequacies in the clinical supervision of certified alcohol and drug counselors in a Department of Human Services, Division of Mental Health and Addiction Services (DMHAS) licensed substance abuse treatment facility, the Committee shall notify the DMHAS of such inadequacies and may recommend to DMHAS a plan for clinical supervision. If the inadequacies in supervision within an agency practice setting, as defined in (a) above, are not resolved within three months of such notice, the agency

supervision exemption described herein shall be withdrawn and the rule for supervised practice at N.J.A.C. 13:34C-6.3 shall be imposed upon subject certificate holders until such time as the Committee determines that the inadequacies in supervision have been corrected.

(d) (No change.)