

21 NCAC 68 .0101 is amended as published in 29:19 NCR 2248-2251 with changes as follows:

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:~~ mean:

- (1) "Applicant" means a person who submits documentation seeking Board status for ~~registration or certification,~~ registration, certification, or licensure.
- (2) "Application packet" means a set of instructions and forms required by the Board for registration.
- (3) "Approved supervisor " means a person who ~~watches~~ monitors and directs the activities of a substance abuse professional in the role of an applicant supervisor or a practice supervisor as set out in G.S. 90-113.31A. This is a person who fulfills or is in the process of fulfilling the requirements for this Board designation of approved supervisor pursuant to Rule .0211 of this Chapter by completing its academic, ~~didactic~~ 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 a substance use disorder.
- (5) "Clinical application" means the utilization of practice dimensions that include clinical evaluation, treatment planning, referral, service coordination, counseling, education for the individual client, family or community, and documentation; as well as the assumption of professional and ethical responsibilities in the form of clinical supervision as set for the Item (7) of this Rule in a clinical setting for a minimum of three hundred (300) hours; the assumption of professional and ethical responsibilities in the form of clinical supervision defined in Item (7) of this Rule in a clinical setting for 300 hours as well as the utilization of practice dimensions that include:
 - (a) clinical evaluation;
 - (b) treatment planning;
 - (c) referral;
 - (d) service coordination;
 - (e) counseling;
 - (f) education for the individual client, family or community; and
 - (g) documentation.
- (6) "Clinical setting" means a location where the primary purpose is the delivery of behavioral health care to clients, patients, and consumers.
- ~~(5)(7)~~ "Clinical supervision" supervision" means clinical oversight required for all credentials with a
minimum of 50 percent clinical supervision that shall accrue in person and face-to-face while in

- 1 the same ~~room~~ room, whereas room: the balance of this requirement may be fulfilled
2 electronically via video, face-to-face, if performed in real time.
- 3 ~~(6)(8)~~ "Clinical supervision specific education" means training that covers the aspects of clinical
4 supervision of a substance abuse professional or any of the ~~12 core functions~~ Twelve Core
5 Functions in their clinical application.
- 6 ~~(7)(9)~~ "Client" means an individual who is in receipt of substance abuse counseling.
- 7 ~~(8)(10)~~ "Complainant" means a person who has filed a complaint pursuant to these Rules.
- 8 ~~(9)(11)~~ "Consultation" means a meeting for discussion, decision-making, and planning with other service
9 providers for the purpose of providing substance abuse services.
- 10 ~~(10)(12)~~ "Crisis" means a ~~decisive~~ radical change of status event in the course of treatment related to
11 alcohol or drug use that threatens to compromise or destroy the rehabilitation effort.
- 12 ~~(11)(13)~~ "Deemed status group" means those persons who are credentialed as clinical addictions specialists
13 because of their membership in a deemed status ~~discipline~~, as defined in G.S. 90-113.31A(15).
- 14 ~~(12)(14)~~ "Education" means a service that is designed to inform and teach various groups including clients,
15 families, schools, businesses, churches, industries, civic, and other community groups about the
16 nature of substance abuse disorders and about available community resources. It also serves to
17 improve the social functioning of recipients by increasing awareness of human behavior and
18 providing alternative cognitive or behavioral responses to life's problems.
- 19 ~~(13)(15)~~ "Full-time" "Full-time" means 2,000 hours of substance abuse professional experience per year.
- 20 ~~(14)(16)~~ "General professional skill building" means education provided to enhance the general skills of a
21 substance abuse professional.
- 22 ~~(15)(17)~~ "Hearing panel" means members of a committee designated by the chairperson of the committee
23 to conduct an informal hearing to determine ~~that~~ whether the applicant meets the standards
24 required to be maintained for or awarded a credential.
- 25 ~~(16)(18)~~ "Impairment" means a mental illness, substance ~~abuse or chemical dependency, physical illness,~~
26 ~~or aging problem.~~ abuse, chemical dependency, or physical illness.
- 27 ~~(17)(19)~~ "Letter of reference" means a letter that recommends a person for certification.
- 28 ~~(18)(20)~~ "Membership in good standing" means a member's certification credential is not in a state of
29 revocation, lapse, or suspension. However, an individual whose certification credential is
30 suspended and the suspension is stayed is a member in good standing during the period of the stay.
- 31 ~~(19)(21)~~ "Passing score" means the score set by and provided by the entity administering the exam.
- 32 ~~(20)(22)~~ "Person served" means an individual who is not a client but is in receipt of substance abuse
33 prevention counseling.
- 34 ~~(21)(23)~~ "Personal service" means the ~~actual~~ delivery of a document into the hands of the person to whom
35 it is addressed.
- 36 ~~(22)(24)~~ "President" means the President of the Board.

(23)(25) "Prevention consultation" means a service provided to other mental health, human service, ~~and~~ community ~~planning/development~~ planning, development ~~organizations~~ organization, or to individual practitioners in other organizations to assist in the development of insights and skills of the practitioner necessary for ~~prevention~~ prevention of alcohol and drug abuse.

~~(24)~~(26) "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)~~(27) "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~~ available to transfer services.

~~(26)~~(28) "Rehabilitation" means re-establishing the functioning needed for professional competency.

~~(27)~~(29) "Reinstatement" means an action where the Board restores ~~certification or registration~~ registration, certification, or licensure to an applicant after the applicant completes the requirements imposed by the Board.

~~(28)~~(30) "Relapse" means a return to the pattern of substance abuse as well as the process during which indicators appear prior to the person's return to the pattern of substance abuse or a re-appearance or exacerbation of physical, psychological, or emotional symptoms of impairment.

~~(29)~~(31) "Renewal" means an action by the Board granting a substance abuse professional a consecutive ~~certification or registration~~ registration, certification, or licensure based upon the completion of requirements for renewal as prescribed by statute and the rules of the Board.

~~(30)~~(32) "Revival" means an action by the Board granting a substance abuse professional a ~~certification or registration~~ registration, certification, or licensure following a lapse of ~~certification or registration~~ registration, certification, or licensure wherein the professional must also meet the requirements for renewal.

~~(31)~~(33) "Reprimand" means a written warning from the Board to a person making application for certification or licensure by the Board or certified registered, certified, or licensed by the Board.

~~(32)~~(34) "Respondent" means a person who is making application for ~~certification~~ registration, certification, or licensure by the Board or is ~~certified~~ registered, certified, or licensed by the Board against whom a complaint has been filed.

~~(33)~~(35) "Sexual activity" or "sexual contact" 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, finger, or any object with an intent to abuse, humiliate, harass, degrade, arouse, or gratify the sexual desire of any ~~person~~; person;
- (d) Vaginal intercourse, cunnilingus, fellatio, or anal intercourse, if initiated, agreed to, or not resisted by the substance abuse professional; or
- (e) 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 or agreed to or not resisted by the substance abuse professional.

~~(34)~~(36) "Substance abuse counseling experience " means approved supervised experience that may be full-time, part-time, paid or voluntary, and ~~must~~ shall include all of the ~~12 core functions~~ Twelve Core Functions (Rule .0204 of this Chapter) as set forth in Rule .0204 of this Chapter as documented by a job description and ~~supervisors~~ a supervisor's evaluation.

~~(35)~~(37) "Substance abuse prevention consultant experience" means approved supervised experience that may be full-time, part-time, paid or voluntary, and ~~must~~ shall include all of the prevention domains referenced by Rule .0206 of this Chapter and as documented by a job description and supervisor's evaluation.

~~(36)~~(38) "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~~ an individual whose education and experience is in the field of alcohol and other drugs.

~~(37)~~(39) "Supervised practice" means supervision of the applicant in the knowledge and skills related to substance abuse professionals.

~~(38)~~(40) "Supervisor of record" means the substance abuse professional primarily responsible for providing applicant or practice supervision to a supervisee.

~~(39)~~(41) "Suspension" means a loss of ~~certification~~ registration, certification, or licensure by a substance abuse professional or the privilege of making application for ~~certification~~; registration, certification, or licensure by an applicant for one of these credentials.

History Note: Authority G.S. 90-113.30; 90-113.31A; 90-113.31B; 90-113.33; 90-113.40; 90-113.41; 90-113.41A;
Eff. August 1, 1996;
Temporary Amendment Eff. November 15, 1997;
Amended Eff. August 1, 2015; January 1, 2014; June 1, 2011; April 1, 2011; April 1, 2003;
August 1, 2002; April 1, 2001; August 1, 2000; August 1, 1998.

21 NCAC 68 .0227 is adopted with changes as published in 29:19 NCR 2248-2251 as follows:

21 NCAC 68 .0227 CREDENTIAL BY ENDORSEMENT OR RECIPROCITY BASED ON MILITARY SERVICE

(a) An applicant for a substance abuse credential by endorsement or reciprocity based on military service shall have his or her training honored automatically pursuant to the standards of the ~~IC and RC/AODA, Inc.~~ International Certification and Reciprocity Consortium/Alcohol and Other Drug Abuse, Incorporated. The applicant shall apply for a credential by using the Board's credentialing ~~software platform,~~ software, Learning Builder, and submit to the Board:

- (1) ~~an a reciprocity~~ application form prescribed by the International Certification and Reciprocity Consortium/Alcohol and Other Drug Abuse, Incorporated and provided by the Board as found at its ~~web site at;~~ website: www.ncsappb.org ~~and that~~ shall be found accompanying the reciprocity information on the ~~web site;~~ website;
- (2) the application fee required by rule applicable to the specific credential as set forth in this Chapter;
- (3) written evidence demonstrating that the applicant has been awarded a military occupational specialty as a substance abuse professional and that the applicant has engaged in practice as a substance abuse professional for at least 1,500 clinical hours per year during at least two of the five years preceding the date of application; and
- (4) a statement disclosing and explaining the commission of any act set out in G.S. 90-113.46A, any disciplinary actions, investigations, malpractice claims, state or federal agency complaints, judgments, settlements, or criminal charges.

(b) All information required ~~must~~ shall be received by the Board ~~office as completed pursuant to Learning Builder.~~ office.

(c) All applicants shall submit to the Board ~~a LIVESCAN~~ an electronic copy of the applicant's fingerprints as described on the Board's ~~web site: www.ncsappb.org.~~ website.

History Note: Authority G.S. 90-113.31A(14); ~~90-113.31B;~~ 90-113.33; 90-113.38; 90-113.39; 90-113.46; 90-113.46A; 93B-15.1; Eff. August 1, 2015.

21 NCAC 68 .0228 is adopted with changes as published in 29:19 NCR 2248-2251 as follows:

**21 NCAC 68 .0228 SUBSTANCE ABUSE CREDENTIAL BY ENDORSEMENT OR RECIPROCITY
BASED ON STATUS AS MILITARY SPOUSE**

(a) An applicant for a substance abuse credential by endorsement or reciprocity based on the applicant's status as a military spouse shall have his or her training honored automatically pursuant to the standards of the ~~IC and RC/AODA, Inc.~~ International Certification and Reciprocity Consortium/Alcohol and Other Drug Abuse, Incorporated. The applicant shall apply for a credential by using the Board's credentialing ~~software platform, software,~~ Learning Builder, and submit to the Board:

- (1) ~~an a reciprocity~~ application form prescribed by the International Certification and Reciprocity Consortium/Alcohol and Other Drug Abuse, Incorporated and provided by the Board as found at its ~~web site at:~~ website: <http://www.ncsappb.org> ~~and that~~ shall be found accompanying the reciprocity information on the ~~web site;~~ website;
- (2) the application fee required by rule applicable to the specific credential as set forth in this Chapter;
- (3) written evidence demonstrating that the applicant is married to an active member of the U.S. military and that such applicant:
 - (A) holds a current substance abuse credential from another jurisdiction whose standards for the credential are substantially equivalent to or greater than those required for the credential described in G.S. 90, Article 5C, this Chapter, and is the subject of the application; and
 - (B) has engaged in practice as a substance abuse professional demonstrating the scope of practice as defined by G.S. 90-113.31B for at least 1,500 hours per year during at least two of the five years preceding the date of application; and
- (4) a statement disclosing and explaining the commission of an act set out in G.S. 90-113.46A, any disciplinary actions, investigations, malpractice claims, state or federal agency complaints, judgments, settlements, or criminal charges.

(b) All information required ~~must~~ shall be received by the Board ~~office via Learning Builder, office.~~

(c) All applicants shall submit to the Board ~~a LIVESCAN~~ an electronic copy of the applicant's fingerprints as described on the Board's ~~web site: www.ncsappb.org, website.~~

History Note: *Authority G.S. 90-113.31A(14); 90-113.31B; 90-113.33; 90-113.38; 90-113.39; 90-113.46; 90-113.46A; 93B-15.1;*
Eff. August 1, 2015.