

**VERMONT SECRETARY OF STATE
OFFICE OF PROFESSIONAL REGULATION**

&

**VERMONT DEPARTMENT OF HEALTH
DIVISION OF ALCOHOL AND DRUG ABUSE PROGRAMS**

Report and Proposal to Move Alcohol and Drug Abuse Counselor
Licensure to the Office of Professional Regulation

I. H. 20 Report to the Legislature

The Vermont Department of Health's Division of Alcohol and Drug Abuse Programs (ADAP) and the Office of Professional Regulation (OPR) have been asked to develop and propose to the General Assembly a plan to move the licensure of alcohol and drug abuse counselors (LADCs) "from the purview of ADAP to that of OPR." H.20 (2015). "The plan shall include the statutory amendments necessary to conform to OPR's regulatory structure and the positions necessary to implement the program. ADAP and OPR shall jointly submit the plan to the Senate Committees on Health and Welfare and Government Operations and the House Committees on Human Services and on Government Operations on or before January 15, 2016."

Developing a "plan" for the move requires an explanation of the current licensing scheme and how LADCs fit within the overall provision of substance abuse services to Vermonters.

II. Terms Used in this Report

As in any area of inquiry, participants in the world of alcohol and drug counseling have developed a panoply of titles, abbreviations, and acronyms. Each is defined as it first appears in this report. For ease of comprehension, commonly used abbreviations or terms in this report are listed here.

- "AAP" means Apprentice Addiction Professional, a person certified as such, but not by the State of Vermont. Currently, for 214 people this is their highest held credential in Vermont.
- "AADC" means Advanced Alcohol and Drug Counselor.
- "ADAP" means the Alcohol and Drug Abuse Program which operates under the auspices of the Department of Health.
- "ADC" means alcohol and drug counselor who is certified as such, but not by the State of Vermont. Currently, for 216 people this is their highest held credential in Vermont.

- “Board” or “Certification Board” means the Vermont Alcohol and Drug Addiction Certification Board.
- “CS” means certified supervisor. This certification is not issued by the State of Vermont. Approximately 15 people hold this certification.
- “IC&RC” means International Certification and Reciprocity Consortium.
- “LADC” means State of Vermont licensed alcohol and drug abuse counselor. Currently, for 395 people this is their highest held credential in Vermont.
- “OPR” means the Office of Professional Regulation.
- “VADACB” means Vermont Alcohol and Drug Addiction Certification Board, which is a private organization, not a State of Vermont organization.

III. How is the Treatment for Alcohol and Drug Abuse in Vermont Defined?

The general assembly has defined “Practice of alcohol and drug abuse counseling” as, “the application of methods, including psychotherapy, which assist an individual or group to develop an understanding of alcohol and drug abuse dependency problems and to define goals and plan actions reflecting the individual's or group's interests, abilities, and needs as affected by alcohol and drug abuse dependency problems and comorbid conditions.” 26 V.S.A. § 3231(5).

IV. Who Provides Substance Abuse Treatment in Vermont?

Licensed Providers

LADCs are master’s level individuals whose special education and training qualifies them specifically to practice alcohol and drug abuse counseling. This group achieved licensure in Vermont in 2001. LADCs are but one of several licensed professions serving the day-to-day needs of Vermonters with substance abuse problems. Licensed professionals with substance abuse training who may provide substance abuse treatment within their scopes of practice also include:

- Clinical mental health counselors,
- Marriage and family therapists,
- Rostered non-licensed and non-registered psychotherapists,
- Physicians, and
- Licensed clinical social workers.

The exact number of licensed professionals providing some drug or alcohol abuse treatment within their practices may be determined by analysis of insurance, Medicaid, Medicare, and ADAP statistics. OPR did not seek access to these sources for this report. Of the professions listed above, LADCs are sought because their primary focus is substance abuse.

Substance abuse treatment is most often delivered through Vermont’s “preferred provider network” created and determined by ADAP. Beginning in October, 2015, LADCs in independent

practice outside of that network may independently bill Medicaid. There is a high demand for substance abuse treatment services in Vermont.

Non-Licensed Providers

Vermont receives a "Substance Abuse Prevention and Treatment Block Grant" from the federal government. ADAP administers a portion of the grant through its preferred provider network. Vermont has evolved an intricate system which permits some unlicensed individuals to provide substance abuse services funded by the State. By law, these unlicensed individuals can work only under the supervision of LADCs.¹ To ensure that state funds are not expended on unqualified personnel, ADAP and Medicaid reimburse for services provided by certified "apprentice addiction professionals (AAPs)"² and presumably also by certified "alcohol and drug counselors," (ADCs). The AAP and ADC certification titles are not mentioned by name in Vermont statutes.³ Both groups are "approved alcohol and drug abuse counselors" and are exempt from licensure.⁴ They work for the preferred providers⁵ under supervision of LADCs.⁶

Both AAPs and ADCs see individual clients or groups of clients. The nature and extent of the supervision they receive is determined by the preferred provider agencies by which they are employed.

V. Who "Approves" Non-Licensed Drug Counselors?

The VADACB

The Vermont Alcohol and Drug Abuse Certification Board (VADACB or "the Board.") is a member/chapter of the International Certification and Reciprocity Consortium (IC&RC). The IC&RC is a nation-wide, non-governmental consortium with member branches in 48 states and territories and in more than a dozen foreign countries. The IC&RC creates examinations and sets minimum standards for certification of alcohol and drug counselors and related alcohol and drug treatment professionals.

¹ 26 V.S.A. § 3233(2).

² AHS, Dept. of Health, Substance Abuse Treatment Certification Rule 6.2.2. Non-licensed staff hired into a position that provides billable substance abuse treatment services shall acquire an Addiction Apprentice Professional certificate through the Vermont Alcohol and Drug Abuse Certification Board within 180 days of hire.

³ 26 V.S.A. § 3233(4) uses the undefined term "approved alcohol and drug abuse counselor."

⁴ 26 V.S.A. § 3233.

⁵ See, Agency of Human Services Rules, Department of Health, Chapter 063, Substance Abuse Treatment Certification, Chapter 9, subchapter 4 Rule 6.2.2.

⁶ Administrative Rules AHS, Dept. of Health, Substance Abuse Treatment Certification 6.2.3 "Every practitioner providing billable substance abuse services shall be under the supervision of a Vermont certified Licensed Alcohol and Drug Counselor (LADC) or a physician with an American Society of Addiction Medicine (ASAM) certification."

The VADACB operates in Vermont and follows IC&RC guidelines and standards to certify ADCs. It is a Vermont non-profit 501(c)(3) corporation. The Board currently has eleven members. It meets quarterly, or more often as needed. It has one part-time employee. The Board seeks, selects, and approves its members. At this time all but one are licensed alcohol and substance abuse counselors. All are volunteers.

The Path to Becoming an AAP or ADC

While 26 V.S.A. § 3236 sets standards for *licensed* alcohol and drug abuse counselors, the remaining statutes in that chapter do not define the qualifications of the “*approved* drug and alcohol counselors,” the AAPs and ADCs who work under their supervision. Standards for AAPs and ADCs are set by the Board. The “Board” is also not mentioned in statute. It is named in ADAP’s administrative rules.⁷

Certification Level for Vermont - AAP

At the request of ADAP, the Vermont Board created the category of “Apprentice Addiction Professional” (“AAP”). AAP certification is for drug and alcohol abuse counselor-practitioners below the educational and training levels of ADCs. The AAP credential is not an IC&RC credential. It is unique to Vermont. The AAP credential was created by the Board to create an entry level category for the preferred provider network. Certification ensures that AAPs meet minimum standards for addiction treatment provider services reimbursable by the State. AAPs are often supervised by ADCs who in turn work under the supervision of LADCs.

AAP certification requires that an applicant be 18 years of age, be a high school graduate or possess a GED, show “professional fitness,” disclose any arrests or convictions, and have 34 hours of training specific to substance abuse counseling, substance abuse, recovery, prevention, co-occurring disorders, plus six hours of ethics theory and practice. The applicant must be currently engaged in either paid or volunteer work supervised one hour per week by an ADC and ultimately an LADC, and have at least 16 hours of actual employment related to the knowledge/skills associated with substance abuse counseling’s core functions or “domains.” Once certified by the Board, the AAP’s employer may be reimbursed by Medicaid for alcohol and drug services provided. Under current ADAP rules a person may work up to 180 days *before* acquiring AAP certification.⁸

The VADACB Sets Minimum Standards for Certified Alcohol and Drug Counselors (ADCs).

It can raise those standards after consultation with ADAP.

To become certified as an alcohol and drug counselor, an applicant must document at least 180 hours of education and training in substance abuse/co-occurring disorders and 90 hours in

⁷ 6.2.2, *Id.*

⁸ *Id.*

counseling skills and techniques, including 6 hours of ethics, for a total of 270 hours.⁹ The hours may be obtained in on-the-job workshops, in-house training, seminars, or continuing education offerings. One half of the hours must have been obtained within 10 years of certification. No more than 15 hours may be received through in-service training where 3 hours of in-service are counted as one hour of training.

Each future ADC must have a certain amount of supervised practice. The amount of practice depends on the person's completed education:

High school diploma	6,000 hours;
Associate's degree	5,000 hours;
Bachelor's degree	4,000 hours;
Master's degree	2,000 hours.

Of the supervised hours, 50% must be in direct one-to-one counseling with a "primary substance abuser."¹⁰

Certified "Clinical Supervisors"

In addition to AAPs and ADCs, the Board certifies "clinical supervisors." CSs provide supervision for other counselors. The "clinical supervisor" certification is not a necessary designation for licensing purposes. Nor is it mandatory for a person who will provide supervision. The CS certification recognizes a level of competence and expertise in providing supervision.

VI. Licensure as an LADC requires ADC Certification through VADACB

26 V.S.A. § 3236 requires a master's degree and that the applicant "have been awarded an approved counselor credential from the Division of Alcohol and Drug Abuse Programs in accordance with rules adopted by the Commissioner." ADAP's rules require certification by the Vermont Board or another IC&RC member board.¹¹

The Board determines who has met AAP or ADC requirements. By renewing certification every two years, the Board is able to ensure and verify that all receive 40 hours of biennial acceptable continuing education. As of July, 2015 the Board has a formal disciplinary procedure. That process may be used to deny or revoke certification of AAPs and ADCs who violate standards of practice.¹²

⁹ To be increased to 300 hours in 2017.

¹⁰ Board ADC Requirements Checklist (from IC&RC)

¹¹ AHS, ADAP Rules III Approved Provider Credential.

¹² See, VADACB "Discipline" under Code of Ethics at <http://vtcertificationboard.org/home/>.

The Relationship between VADACB and Licensure through ADAP

The relationship between ADAP and the Certification Board is memorialized in a 2009 Memorandum Agreement. See, Appendix. Under the agreement, responsibilities for licensing and renewal are split between ADAP and VADACB. ADAP and the Board share computer information regarding applicants and licensees.

Although 26 V.S.A. § 3236 requires “approved counselor credential from the Division of Alcohol and Drug Abuse Programs in accordance with rules adopted by the commissioner,” the credential is not issued by ADAP. It comes from VADACB. Because of the intricacies of the certification process, the Board, not ADAP bears most of the administrative burden of reviewing transcripts, verifying that applicants have education/training in the core functions of substance abuse counseling, and have proper supervised experience. Successful applicants as determined by the Board take the IC&RC examination for ADCs.¹³ Once the applicant has fulfilled all the Board prerequisites and passed the examination, ADC certification is granted. The applicant then applies to ADAP for licensure.

Not all ADCs have a master’s degree “in a human services field from an accredited educational institution....” that meets the requirements of 26 V.S.A § 3236. For example, a certified ADC who has a B.A. or a master’s degree that does not meet the statutory requirements is ineligible for licensure.

For an application fee, ADAP reviews transcripts again to verify that an applicant has a qualifying master’s degree. If the degree does, then for another fee, ADAP issues the LADC license.

ADAP’s rules require LADC continuing education.¹⁴ The rules recite the statutory requirement of 40 hours of continuing education each biennium before a license may be renewed. The rules state that meeting Board certification standards (which also require 40 hours of continuing education identical to the ADAP rules) satisfies ADAP continuing education standards. ADAP receives from the Board a daily updated list of ADCs who have met continuing education requirements to review or approve continuing education submissions. For that reason ADAP does not review license renewal applications to evaluate or approve continuing education offerings.

Costs of Certification and Licensure

Certification: The current cost of initial ADC “Board” certification including the examination is \$275.00. Retaining VADACB certification every 2 years costs \$135.00.

¹³ In the future the Board will offer LADC license applicants the IC&RC Advanced ADC examination intended for those with master’s degrees.

¹⁴ ADAP Alcohol and Drug Abuse Counselor Licensing Rules § IV.

Licensure: The current State of Vermont LADC license fee is \$100.00. 26 V.S.A. § 3241 also provides for a \$75 “application” fee. ADAP could not explain how the two fees fit in the overall licensing scheme. The LADC renewal fee is \$135.00. The fee for a temporary license or work permit is \$50.00. ADAP reports they have never issued a temporary work permit.

To retain a license, a Licensed Alcohol and Drug Counselor must currently pay to the Board and the State a total of \$270 in certification/licensing renewal fees every two years. OPR recommends eliminating the \$75 fee for the initial LADC application.

VII. Issues Presented by Current Statutes and Rules

Statutes: The State of Vermont plays an administratively simple role in deciding who qualifies and continues to be a licensed alcohol and drug counselor. VADACB as a certifying entity within the IC&RC system has discretion within IC&RC national minimum standards to set and determine Vermont initial applicant and renewal qualifications. A person who does not qualify for Board certification is not eligible for a license.

Public Protection

26 V.S.A. § 3232(4) exempts from licensure “the activities and services of approved alcohol and drug abuse counselors who are working under the supervision of a licensed alcohol and drugs abuse counselor...” Vermont law permits AAPs and ADCs as approved counselors to practice drug and alcohol abuse counseling. While accountable to the Board, members of these groups are not directly accountable to ADAP and not subject to discipline by the State for unprofessional conduct. Much of the Vermont substance abuse treatment workforce is beyond the direct reach of the state.

Logistics

VADACB certifications are now renewed on the same date as LADC license renewals. Since license renewal depends on certification renewal, using the same date creates a logistical crunch where a license cannot be renewed until the Board gives ADAP confirmation that the licensee has met the Board’s continuing education requirements. This creates a renewal log jam.

Examination

The examination currently used for ADC certification is not seen as sufficiently rigorous for use by master’s degree applicants.¹⁵ IC&RC offers an Advanced Alcohol and Drug Counselor (AADC) certification and examination which requires a master’s degree. The VADACB does not offer Advanced ADC certification at this time. It assures OPR that the AADC certification examination can be adopted in the near future.

¹⁵ Some LADC applicants receive their ADC certification before attending a master’s program.

Issues Reported by Stakeholders

ADAP reported that it has received anecdotal complaints from individuals who called the VADACB certification application process arbitrary. At the public hearing, the Board, through its director, explained that evolving and rising certification standards have made obtaining certification more rigorous.

At this time the Board does not have an easily accessible or clearly set forth compendium of rules for its certification process. Its certification standards reflect IC&RC adopted changes. The Board's rules have little public input. The Board's standards can change with no formal process.

Challenges of Moving Licensure to OPR

Laws governing substance abuse and treatment are not limited to Title 26. For example, "'Designated substance abuse counselor' means a person approved by the Secretary to evaluate and treat substance abusers, pursuant to the provisions of this chapter."¹⁶

Responsibility for who may provide alcohol and drug abuse counseling is currently shared by the State (ADAP) and the "Board." Transferring the licensing of LADCs to OPR while retaining the current division of responsibility between the State and the Board would be relatively simple. At OPR's October 23, 2015 public hearing and in comments received by OPR there was clear support that efforts be made to clarify and simplify the manner in which people are approved to provide alcohol and drug abuse treatment in Vermont.

Under current law *licensure* and *discipline* of licensees are currently divided between two branches of government, ADAP and OPR. Transition of the licensing function to OPR will unite both functions at OPR and eliminate the redundancy from the current system.

The Board's operations have not been transparent. The Board's decision making process is opaque. The Board's records are not subject to public records laws. Although Board meetings are "open," documentation regarding fundamental decisions regarding qualifications and how the Board handles its responsibilities are not easily found. We must note that this report has found Board members and its one part-time employee to be completely available and forthcoming.

VIII. Goals

The transfer of LADC licensing to OPR should eliminate unnecessary redundancies in the current certification and licensing scheme. Costs to applicants, certified individuals, and licensees should, when possible, be decreased. All individuals offering drug and alcohol counseling in Vermont should be accountable to the State of Vermont.

¹⁶ 18 V.S.A. §§ 4802(5), 4806.

OPR and ADAP have considered the strengths and weaknesses of the current system, the pros and cons of the State taking on regulation of all individuals who provide substance abuse services, the complexity of the current split system, and how a new licensing or registration scheme would fit in with national trends and available examination resources. During the preparation of this report several options for regulation of drug and alcohol counseling providers were considered. They ranged from the simple transfer of the LADC licensing function to OPR and rebuilding the provider system from scratch with full state regulation of all alcohol and drug counselors to the plan recommended below.

In proposing the plan below, we conclude that the Board and ADAP's preferred provider network can hold its providers accountable. However, as a non-state entity the Board and its rules and processes are essentially unreviewable. More importantly, Board action granting or denying certification is subject to antitrust attack because the Board, comprised almost exclusively of market participants, is not part of a clearly articulated legislative policy. Nor is it subject to active supervision by the State of Vermont. See, *North Carolina Board of Dental Examiners v. Federal Trade Commission*, (No. 13-534, Decided February 25, 2015). Direct state regulation of AAPs and ADCs is necessary. Breaking down and reinventing the approved provider system from the ground up is not necessary. Moving regulation of all AAPs and ADCs to OPR can occur without imposing significant costs on alcohol and drug counselors. The role played by the Board, a non-governmental entity, should end.

We find that virtually all of the current inconvenience to licensees from renewing both certifications and licenses can be reduced. OPR can provide efficient certification and license renewal. Some of the certification and licensing expense can be reduced. For LADCs there is no need for both an "application fee" and an initial license fee. More transparent OPR regulatory processes will reduce frustration with the current system. OPR, ADAP, and the current Board have good working relationships and common interests. We hope that members of the current Board can be available to assist the Director as advisors.

IX. Plan

OPR and ADAP recommend the plan outlined below. ADAP, as the primary organizing force behind substance abuse treatment and funding in Vermont, will remain a working partner through its advisory role as it oversees substance abuse treatment providers through its preferred provider network. The plan:

- 1) OPR assumes licensure of LADCs. This may occur as early as September, 2016.
- 2) AAP and ADC designations are retained.
- 3) OPR assumes regulatory responsibility for AAPs and ADCs using for reference standards of IC&RC or other organization as determined by the Director of OPR, relieving the Board of regulatory responsibility;
- 4) CS designation by the State is not adopted;

3) Amend Statutes to:

- give OPR rulemaking authority to include specifying more clearly (including a minimum number of graduate credits and length of internship) the requirements for a master's degree which will qualify an applicant for licensure;
- require an examination appropriate to master's educated applicants (current exam to be honored until then);
- require that those who seek LADC licensure will take the master's level examination;
- OPR will continue to require 40 hours of continuing education every two years for AAP and ADC recertification and LADC license renewal;
- clarify that AAP and ADC provision of services, except supervised practice for master's level candidates who have passed a master's level examination, are limited to the preferred provider network overseen by ADAP;
- create a "grandfather" clause for AAPs and ADCs already certified.

4) OPR can "audit" (as it does with other professions) continuing education taken for certification and license renewals.

5) OPR with input from ADAP will continue to cooperate to ensure that certification and licensing standards adequately protect the public.

8) OPR rules will clarify and make more easily accessible:

- licensing and certification requirements for all alcohol and drug counselors and disciplinary processes.

9) Any rules adopted or proposed for change will be clearly posted and available well in advance to comply with Administrative Procedure Act requirements for implementation.

10) OPR and Vermont Educational Institutions will develop memoranda of understandings upon which the OPR can rely to ensure that applicants meet ADC education and examination standards and LADC licensing standards;

11) 40 hour / biennium continuing education requirement for AAPs and ADCs will be retained.

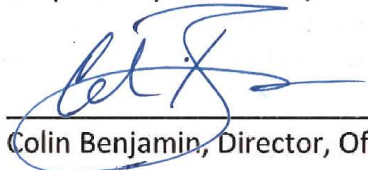
Positions Necessary to Implement Licensing Move to OPR

OPR is expected to take on regulation of additional professions. It is impossible at this time to separate out from the broad personnel picture how OPR will absorb the LADC licensing workload. At least one additional OPR position will be required to do the work now performed ADAP and the Board.

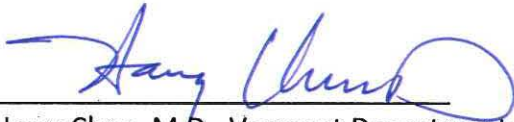
Proposed Amended Statutes

A draft of statutory revisions accompanies this report.

Respectfully submitted,



Colin Benjamin, Director, Office of Professional Regulation



Harry Chen, M.D., Vermont Department of Health

Appendix:

- 2009 ADAP and Board "Letter of Agreement"

- Draft Amendments to 26 V.S.A. §§ 3231- 3142, Alcohol and Drug Counselors and 18 V.S.A. § 4806.

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LETTER OF AGREEMENT

Vermont Department of Health, Division of Alcohol and Drug Abuse Programs and the Vermont Alcohol and Drug Abuse Certification Board

I. Purpose:

The purpose of this agreement between the Vermont Department of Health, Division of Alcohol and Drug Abuse Programs (VDH/ADAP) and the Vermont Alcohol and Drug Abuse Certification Board (VADACB) is to delineate the specific responsibilities of each of the parties to ensure the efficient certification, approval, licensure, and regulation of Alcohol and Drug Abuse Counselors in the State of Vermont. This agreement follows and refers to Title 33, Chapter 8: (Alcohol and Drug Abuse Counselors) of the Vermont Statutes Annotated (VSA) referred to as (the law) as well as the Alcohol and Drug Abuse Counselor Administrative Rules referred to as (the rules).

II. Certification:

The certification of alcohol and drug abuse counselors includes but is not limited to those who are certified to provide prevention, treatment and recovery services in the State of Vermont, and is recognized to be the responsibility of the VADACB.

1. **Process** – The VADACB currently certifies counselors in Vermont using the International Certification & Reciprocity Consortium/Alcohol & Other Drug Abuse (IC&RC/AODA) process. The IC&RC/AODA is the original and most widely accepted method of certification internationally. The VADACB will continue to use the IC&RC/AODA certification process unless both VDH/ADAP and VADACB agree to adopt an alternative certification process.
2. **Fees** – The VADACB will collect all fees connected with fulfilling the requirements for all levels of certification. Fees will be established with the input of the VDH/ADAP.
3. **Administration** - The VADACB will employ at least one person responsible for all of the administrative tasks for certification. The VADACB will be made up of



a peer group of volunteers. Fees will be used to pay the VADACB administrator and the expenses of VADACB members and others in their duties in carrying out board functions and IC&RC/AODA required training and administering of certification exams. No administrative fee will be required of the VDH/ADAP for the certification of counselors.

III. Approval:

- 1. Process - Per (the rules) counselor approval will be the function of the VDH/ADAP. Upon certification of a counselor by the VADACB they will be recommended for approval by the VDH/ADAP.**
- 2. Fees – No additional fee will be assessed by the VDH/ADAP for counselor approval**
- 3. Administration – The VDH/ADAP will upon the certification and recommendation of the VADACB for counselor approval deem the counselor approved. Beginning January 2009 counselor’s certification/approval number will be included on their license in addition to their license number. No counselor will be granted approval that has not been certified via the IC&RC/AODA procedure.**

IV. Licensure:

- 1. Process – By law the Director of the Division of Alcohol and Drug Abuse Programs (at this time the Deputy Commissioner) will carry out the function of licensing counselors. Counselors who have been granted approval and have a master’s degree or higher in a related discipline as described by the law will be eligible for licensure.**
- 2. Fees – The VDH/ADAP will collect all fees for reviewing applications for the requirements for licensure. Fees will be established in accordance with the law at T. 33 §§ 811, 812.**
- 3. Administration – The administration and costs connected with licensing counselors will be the responsibility of the VDH/ADAP. The VDH/ADAP will employ at least one person that will review license applications, verify counselor approval and review sealed transcripts in order to advise the deputy commissioner to issue a license or the renewal of license.**

V. Renewals:

- 1. Process – Beginning in January 2009 all licensed and certified/approved counselors renew on a fixed 24 month schedule: January 31 of the odd numbered years. Initial licenses issued within 90 days of the renewal date will not be required to pay a renewal fee. The license, certification/approval will be issued through the next full license period. Applicants issued an initial license more than 90 days prior to the renewal expiration date will be required to renew and pay the renewal fee.**
- 2. Fees - The VDH/ADAP and the VADACB will collect and distribute the renewal fees as per the law and the VADACB fee schedule.**
- 3. Administration – VDH/ADAP will send out in December preceding the renewal year the application for relicensure and recertification/approval. The VDH/ADAP Director (Deputy Commissioner) will authorize the VADACB to review the applications for continuing education requirements. VDH/ADAP will review the applications for any other requirements. Renewals for apprentice counselors, certified only counselors and certified clinical supervisors will remain the sole function of the VADACB.**

VI. Regulation

- 1. Process – The VDH/ADAP will be responsible for the regulation of all alcohol and drug abuse counselors, certified, approved and or licensed. This will include violations of the law and or ethical complaints.**
- 2. Fees – Fees collected by the VDH/ADAP for licensure and re-licensure will be primarily used for the purpose of paying for the costs associated with regulating alcohol and drug abuse counselors.**
- 3. Administration – Per (the law) the VDH/ADAP will contract with the Office of Professional Regulation (OPR) to investigate violations of the law and or ethical complaints. The VDH/ADAP will suspend, revoke, or impose stipulations on counselor’s certification, approval or license as recommended by the OPR administrative law officer. The VDH/ADAP will be responsible for making a list of all alcohol and drug abuse counselors which includes any sanctions/violations that they have received available to the general public.**

It is further understood that this letter of agreement replaces the letter of agreement signed in June of 1996 between OADAP, VADACA, and VADACB. The VDH/ADAP as referenced above understands and agrees that the VADACB is a member of the IC&RC/AODA and therefore anticipates and expects the VADACB will carry out its duties and responsibilities in keeping with the recommendations of the governing IC&RC/AODA body. This includes the certification process, testing, policies and procedures and makeup of the VADACB members. Using any other certification procedure would need to be agreed to by both the VDH/ADAP and the VADACB. The VDH/ADAP and the VADACB will review this agreement periodically to insure it is up to date and continues to reflect the current law, rules and policies. The agreement will be considered to be in effect as of the date of signing and automatically renew annually.

We, the undersigned parties, agree to the terms and conditions outlined in the above Letter of agreement.

Annie Ramwiczew 9-22-09
Chairperson of the Vermont alcohol and Drug Abuse Certification Board

Barbara Cimafo 8-25-09
Deputy Commissioner, Division of Alcohol and Drug Abuse Programs

Dated at: _____ this _____ day of _____