

CHAPTER 399

PROFESSIONS AND OCCUPATIONS

HOUSE BILL 21-1305

BY REPRESENTATIVE(S) Michaelson Jenet and Pelton, Amabile, Bacon, Burnett, Bird, Caraveo, Cutter, Esgar, Exum, Froelich, Gonzales-Gutierrez, Gray, Herod, Hooton, Jackson, Jodeh, Lontine, McCormick, McLachlan, Ortiz, Ricks, Sandridge, Snyder, Titone, Valdez A., Young, Garnett, Duran;
also SENATOR(S) Winter, Danielson, Ginal, Kolker, Lee, Moreno, Pettersen, Priola, Simpson, Sonnenberg, Story.

AN ACT

CONCERNING THE PRACTICE OF MENTAL HEALTH PROFESSIONALS, AND, IN CONNECTION THEREWITH, CLARIFYING EDUCATION AND HOURS OF PRACTICE REQUIRED FOR LICENSURE OR CERTIFICATION AS AN ADDICTION COUNSELOR; AND ESTABLISHING SUPERVISION PRIVILEGES FOR CERTIFIED AND LICENSED ADDICTION COUNSELORS.

Be it enacted by the General Assembly of the State of Colorado:

SECTION 1. In Colorado Revised Statutes, 12-245-218, **amend** (1)(a) as follows:

12-245-218. Title use restrictions. (1) A psychologist, social worker, marriage and family therapist, professional counselor, psychotherapist, or addiction counselor may only use the title for which the person is licensed, certified, or registered under this article 245. Except as provided in section 12-245-306 (3), no other person shall:

(a) Hold himself or herself out to the public by any title or description of services incorporating the terms "licensed clinical social worker", "clinical social worker", "LCSW", "licensed social worker", "LSW", "clinical social worker candidate", "provisional social worker", "SWP", "marriage and family therapist", "LMFT", "MFT", "marriage and family therapist candidate", "MFT candidate", "MFTC", "professional counselor", "licensed professional counselor", "LPC", "licensed professional counselor candidate", "LPCC", "provisional licensed professional counselor", "psychologist", "provisional psychologist", "psychologist candidate", "psychology", "psychological", "unlicensed psychotherapist", "addiction counselor", "licensed addiction counselor", "LAC", ~~"certified addiction counselor", or "CAC"~~ "CERTIFIED ADDICTION SPECIALIST", "CAS", "CERTIFIED ADDICTION TECHNICIAN", "CAT", OR "ADDICTION COUNSELOR CANDIDATE"; or

Capital letters or bold & italic numbers indicate new material added to existing law; dashes through words or numbers indicate deletions from existing law and such material is not part of the act.

SECTION 2. In Colorado Revised Statutes, 12-245-803, **amend** (4) as follows:

12-245-803. Practice of addiction counseling defined - scope of practice.

(4) **Scope of practice - licensed addiction counselors.** Based on education, training, knowledge, and experience, the scope of practice of a licensed addiction counselor includes behavioral health counseling and may include the treatment of substance use disorders, addictive behavioral disorders, and co-occurring MENTAL HEALTH disorders, including clinical evaluation and diagnosis, treatment planning, service coordination, case management, clinical documentation, professional and ethical responsibilities, education and psychotherapy with clients, family, and community, clinical supervisory responsibilities, and intervention.

SECTION 3. In Colorado Revised Statutes, 12-245-804, **amend** (1)(e), (1)(g), (3), (3.5)(a) introductory portion, (3.5)(a)(I), (3.5)(b) introductory portion, (3.5)(b)(I), and (3.5)(b)(II); and **add** (1.5) as follows:

12-245-804. Requirements for licensure, certification, and registration - rules. (1) The board shall issue a license as an addiction counselor to an applicant who files an application in the form and manner required by the board, submits the fee required by the board pursuant to section 12-245-205, and submits evidence satisfactory to the board that the applicant:

(e) Has met the EDUCATION requirements ~~for a certificate of addiction specialist SPECIFIED IN THE RULES PROMULGATED BY THE STATE BOARD OF HUMAN SERVICES IN THE DEPARTMENT OF HUMAN SERVICES PURSUANT TO SECTION 27-80-108 (1)(e.5);~~

(g) Has completed at least ~~three~~ TWO thousand DIRECT CLINICAL hours of clinically supervised work experience in the addiction field. ~~with a minimum of two thousand direct clinical hours.~~ The clinical supervision may be in-person or telesupervision.

(1.5) THE BOARD MAY WAIVE ANY EDUCATION REQUIREMENTS IN SUBSECTION (1)(e) OF THIS SECTION UNTIL THE DEPARTMENT OF HUMAN SERVICES ESTABLISHES THE EDUCATION REQUIREMENTS FOR LICENSURE PURSUANT TO SECTION 27-80-108 (1)(e.5). THIS SUBSECTION (1.5) IS REPEALED, EFFECTIVE MARCH 1, 2022.

(3) The state board of addiction counselor examiners shall promulgate rules for certification of addiction counselors; except that the state board of human services in the department of human services shall establish by rule education requirements for LICENSURE AND certification in accordance with section 27-80-108 (1)(e) AND (1)(e.5).

(3.5) In the rules promulgated pursuant to subsection (3) of this section, the board shall require that:

(a) A certified addiction technician HAVE:

(I) ~~Have~~ A high school diploma or its equivalent;

(b) A certified addiction specialist HAVE:

(I) ~~Have~~ A bachelor's degree in a ~~clinical~~ behavioral health concentration OR HUMAN SERVICES EQUIVALENT;

(II) Accrued a minimum of ~~two~~ THREE thousand hours of supervised clinic work hours over a minimum of ~~twelve~~ EIGHTEEN months, which may include the ONE THOUSAND hours required ACCRUED for certification as a certified addiction ~~specialist~~ TECHNICIAN;

SECTION 4. In Colorado Revised Statutes, 12-245-805, **amend** (3)(a)(V); and **add** (2.5) as follows:

12-245-805. Rights and privileges of certification and licensure - titles.
(2.5) (a) ANY PERSON WHO POSSESSES A VALID, UNSUSPENDED, AND UNREVOKED CERTIFICATE AS A CERTIFIED ADDICTION SPECIALIST MAY PROVIDE CLINICAL SUPERVISION FOR CERTIFICATION PURPOSES TO A PERSON WORKING TOWARD CERTIFICATION AS A CERTIFIED ADDICTION TECHNICIAN OR A CERTIFIED ADDICTION SPECIALIST.

(b) ANY PERSON WHO POSSESSES A VALID, UNSUSPENDED, AND UNREVOKED LICENSE AS AN ADDICTION COUNSELOR MAY PROVIDE CLINICAL SUPERVISION FOR LICENSURE OR CERTIFICATION PURPOSES TO PERSONS WORKING TOWARD LICENSURE AS A LICENSED ADDICTION COUNSELOR, CERTIFICATION AS AN ADDICTION SPECIALIST OR TECHNICIAN, OR OTHER CREDENTIAL AS AUTHORIZED BY THIS ARTICLE 245 OR BY RULE OF THE BOARD.

(3) (a) The practice of a certified addiction technician may include:

(V) ~~Co-facilitating~~ FACILITATING PSYCHOEDUCATION AND therapy groups with ~~certified addiction specialists or licensed addiction counselors~~ APPROPRIATE TRAINING AND CLINICAL SUPERVISION AND WITHIN A TREATMENT OR HEALTH FACILITY LICENSED PURSUANT TO SECTION 25-1.5-103;

SECTION 5. In Colorado Revised Statutes, 12-245-806, **amend** (1)(b) introductory portion as follows:

12-245-806. Continuing professional competency - rules - definition.
(1) (b) The ~~office of behavioral health in the department of human services~~ BOARD, in consultation with ~~other~~ stakeholders, shall adopt rules ON OR BEFORE MARCH 1, 2022, establishing a continuing professional competency program that includes, at a minimum, the following elements:

SECTION 6. In Colorado Revised Statutes, 27-80-108, **amend** (2); and **add** (1)(e.5) as follows:

27-80-108. Rules. (1) The state board of human services, created in section 26-1-107, has the power to promulgate rules governing the provisions of this article 80. The rules may include, but are not limited to:

(e.5) ON OR BEFORE MARCH 1, 2022, STANDARDS THAT ADDICTION COUNSELORS MUST MEET TO PARTICIPATE IN PUBLIC PROGRAMS OR TO PROVIDE PURCHASED SERVICES AND EDUCATION REQUIREMENTS NECESSARY TO BE LICENSED BY THE

DIRECTOR OF THE DIVISION OF PROFESSIONS AND OCCUPATIONS, PURSUANT TO PART 8 OF ARTICLE 245 OF TITLE 12;

(2) In the rules promulgated pursuant to subsection (1)(e) of this section, the state board of human services shall ~~require the following~~ INCLUDE education requirements FOR CERTIFIED ADDICTION TECHNICIANS, CERTIFIED ADDICTION SPECIALISTS, AND LICENSED ADDICTION COUNSELORS.

~~(a) For certified addiction technicians:~~

~~(I) Completion of course work and training in addiction counseling, client records management, principles of addiction, professional ethics, culturally informed treatment, pharmacology, motivational interviewing, trauma-informed care, and group counseling skills; and~~

~~(II) Other courses and training as determined by the state board of human services:~~

~~(b) For certified addiction specialists:~~

~~(I) Completion of course work and training in clinical assessment and treatment planning, cognitive behavioral therapy, co-occurring disorders, advanced pharmacology, advanced professional ethics, advanced motivational interviewing, advanced models, specialized addiction treatment, and infectious diseases; and~~

~~(II) Other courses and training as determined by the state board of human services:~~

SECTION 7. Effective date. This act takes effect July 1, 2021.

SECTION 8. Safety clause. The general assembly hereby finds, determines, and declares that this act is necessary for the immediate preservation of the public peace, health, or safety.

Approved: June 30, 2021