

2016 -- S 2948

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STATE OF RHODE ISLAND

IN GENERAL ASSEMBLY

JANUARY SESSION, A.D. 2016

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A N A C T

RELATING TO BUSINESSES AND PROFESSIONS - LICENSE PROCEDURE CHEMICAL
DEPENDENCY PROFESSIONALS

Introduced By: Senator Roger Picard

Date Introduced: May 10, 2016

Referred To: Senate Health & Human Services

It is enacted by the General Assembly as follows:

1 SECTION 1. Section 5-69-2 of the General Laws in Chapter 5-69 entitled "License
2 Procedure for Chemical Dependency Professionals" is hereby amended to read as follows:

3 **5-69-2. Definitions.** -- As used in this chapter:

4 (1) "ACDP" means an advanced chemical dependency professional certification as per
5 the Rhode Island board for certification of chemical dependency professionals requirements.

6 (2) "ACDP II" means an advanced chemical dependency professional II certification as
7 per the International Certification and Reciprocity Consortium/Alcohol and Other Drug Abuse.
8 "ICRC/AODA".

9 (3) "Acudetox Specialist (ADS)" means an individual licensed as a chemical dependency
10 professional or clinical supervisor who holds a certificate of training that meets or exceeds the
11 NADA training from a recognized agency.

12 ~~(3)~~(4) "Advertise" includes, but is not limited to, the issuing or causing to be distributed
13 any card, sign, or device to any person; or the causing, permitting, or allowing any sign or
14 marking on or in any building or structure, or in any newspaper or magazine or in any directory,
15 or on radio or television, or by the use of any other means designed to secure public attention.

16 ~~(4)~~(5) "Approved continuing education" means research and training programs, college
17 and university courses, in-service training programs, seminars and conferences designed to
18 maintain and enhance the skills of substance abuse counselors or clinical supervisors and which

1 are recognized by the ICRC/AODA member board.

2 (6) "Auricular acudetox" means the subcutaneous insertion of sterile, disposable
3 acupuncture needles in consistent, predetermined bilateral locations on the ear in accordance with
4 the NADA protocol.

5 ~~(5)~~(7) "CDCS" means chemical dependency clinical supervisor.

6 ~~(6)~~(8) "Clergy" includes any minister, priest, rabbi, Christian Science practitioner, or any
7 other similar religious counselor.

8 ~~(7)~~(9) "Continuum of care network" means public and private substance abuse care
9 agencies such as detoxification centers, emergency rooms, hospitals, treatment centers, outpatient
10 and day treatment clinics, and community residences for substance abusers. The services employs
11 or refers to medical, psychological, health, and counseling professions that treat substance abuse
12 and related concerns.

13 ~~(8)~~(10) "Department" means the Rhode Island department of health.

14 ~~(9)~~(11) "Director" means the director of the Rhode Island department of health.

15 ~~(10)~~(12) "Documented professional work experience" means the ICRC/AODA member
16 board approved form completed by employer or approved supervisor verifying dates of
17 employment and responsibilities.

18 ~~(11)~~(13) "Experience" means six thousand (6,000) hours of supervised practice of
19 chemical dependency counseling in a department of mental health, retardation, and hospitals
20 licensed or ICRC/AODA member board approved facility during a sixty (60) month period of
21 time immediately preceding the date of application for licensure.

22 (14) "General supervision" means available by telephone, cellphone or electronic means
23 during business hours.

24 ~~(12)~~(15) "ICRC/AODA" means International Certification and Reciprocity
25 Consortium/Alcohol and Other Drug Abuse.

26 ~~(13)~~(16) "Licensed chemical dependency clinical supervisor" means an individual
27 licensed by the department of health to practice and supervise substance abuse counseling and
28 who meets the qualification established in this section.

29 ~~(14)~~(17) "Licensed chemical dependency professional" means an individual licensed by
30 the department of health to practice substance abuse counseling and who meets the qualifications
31 established in this section.

32 ~~(15)~~(18) "Licensing board" or "board" means the board of licensing for chemical
33 dependency professionals.

34 ~~(16)~~(19) "Member Board" means the Rhode Island Board for Certification of Chemical

1 Dependency Professionals.

2 (20) "National Acupuncture Detoxification Association" ("NADA") means a not-for-
3 profit organization that provides a certificate of acudetox training.

4 ~~(17)~~(21) "Practice of substance abuse counseling" means rendering or offering to render
5 professional service for any fee, monetary or otherwise, documented to individuals, families or
6 groups. Those professional services include the application of the ICRC/AODA specific
7 knowledge, skills, counseling theory, and application of techniques to define goals and develop a
8 treatment plan of action aimed toward the prevention, education, or treatment in the recovery
9 process of substance abuse within the continuum of care service network. The practice further
10 includes, but is not limited to, networking and making referrals to medical, social services,
11 psychological, psychiatric, and/or legal resources when indicated.

12 ~~(18)~~(22) "Recognized education institution" means any educational institution, which
13 grants an associate, bachelor, masters, or doctoral degree and which is recognized by the board,
14 or by a nationally or regionally recognized educational or professional accrediting organization.

15 ~~(19)~~(23) "Substance abuse" means addictive (chronic or habitual) consumption,
16 injection, inhalation, or behavior of/with substance (such as alcohol and drugs), progressively
17 injuring and afflicting the user's psychological, physical, social, economical, and/or spiritual
18 functioning.

19 ~~(20)~~(24) "Supervision" means no less than one hour per week and consists of individual
20 or group supervision with a clinician licensed or certified in substance abuse counseling with
21 education, supervisory experience, and ethics approved by the ICRC/AODA member.

22 SECTION 2. Chapter 5-69 of the General Laws entitled "License Procedure for Chemical
23 Dependency Professionals" is hereby amended by adding thereto the following section:

24 **5-69-3.1. Auricular acudetox practice regulation.** – (a) Any individual licensed under
25 this chapter and trained to perform auricular acudetox may perform said procedure within that
26 individual's current scope of practice; provided that the individual obtains a certificate of training
27 from a recognized organization or agency that meets or exceeds NADA training and is under the
28 general supervision of a licensed acupuncturist pursuant to chapter 37.2 of this title.

29 (b) Acudetox may be performed by acudetox specialists working in or in collaboration
30 with behavioral health and healthcare agencies, or other state approved programs or agencies.

31 (c) Any individual performing auricular acudetox shall not use the title "acupuncturist",
32 as defined in chapter 37.2 of this title or otherwise represent themselves as an acupuncture
33 professional and shall not perform acupuncture outside of the scope of the auricular acudetox
34 procedure as defined in §5-69-2.

1 (d) Any complaints filed against an ADS specialist relating to the performance of any
2 auricular acudetox procedure shall be handled by the licensing board in conformance with the
3 disciplinary procedure set forth in this chapter.

4 SECTION 3. This act shall take effect on January 1, 2017.

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EXPLANATION
BY THE LEGISLATIVE COUNCIL
OF

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1 This act would allow licensed chemical dependency professionals with the proper
2 training to utilize a treatment known as auricular acudetox in their practice. This practice would
3 involve the insertion of disposable needles in consistent, predetermined locations on the ear, in
4 accordance with the protocol established by the National Acupuncture Detoxification
5 Association.

6 This act would take effect on January 1, 2017.

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