

- SUBJECT:** Revising chemical dependency counselor licensing fees and exam
- COMMITTEE:** Human Services — committee substitute recommended
- VOTE:** 6 ayes — Raymond, Morrison, Gonzalez, Hopson, Laubenberg, Naishtat
1 nay — V. Taylor
2 absent — Hughes, Hunter
- WITNESSES:** For — Matt Feehery, Texas Association of Addiction Professionals; Phyllis Gardner, Texas Association of Addiction Professionals, IC & RC; Jennifer Mckenzie, TAPNET Texas Addiction Professionals, Peer Assistance Network; (*Registered, but did not testify*: Terry Cowan, Association Substance Abuse Programs, Council at Risk Youth; Duane Galligher, Texas Association of Addiction Professionals; Amy Grandberry, ASAP Association of Substance Abuse Program and Charlie's Place; Sherri Layton, La Hacienda Treatment Centers; Susan Milam, National Association of Social Workers/Texas Chapter; Jennifer Allmon; Pilar Lozano; Sarah Wirtz)

Against — None

On — (*Registered, but did not testify*: Stewart Myrick, Department of State Health Services)
- BACKGROUND:** To be eligible for a chemical dependency counselor license, Occupations Code, ch 504 requires an applicant to be at least 18 years of age, hold an associate degree or higher, have completed a certain amount of training hours, pass a written and oral examination, and other requirements.

The Health and Human Services Commission (HHSC) may not issue a chemical dependency counselor license, registration, or certification to anyone convicted or placed on community supervision for an offense equal to a class B misdemeanor in the preceding five years.

A licensing authority may add up to a \$10 surcharge to its license or license renewal fee to fund an approved peer assistance program.

DIGEST: CSHB 3145 would remove the required oral examination for applicants for a chemical dependency counselor license.

The bill would prohibit HHSC from issuing a chemical dependency counselor license, registration or certification to anyone convicted or placed on community supervision for an offense equal to a class B misdemeanor in the preceding three, rather than five, years.

CSHB 3145 would require, rather than allow, HHSC to add a surcharge of up to \$10 for a chemical dependency counselor's license. The funds would be directed to the chemical dependency counselor account and, subject to the appropriations act, could be used only to fund approved peer assistance programs and related administrative costs.

The changes made in the bill to the application process for chemical dependency counselors licenses would apply only to applications for new or renewal licenses, registrations, or certifications submitted on or after December 1, 2011. HHSC would be required to adopt internal rules to implement the bill no later than that date.

The bill would take immediate effect if finally passed by a two-thirds record vote of the membership of each house. Otherwise, it would take effect September 1, 2011.

**SUPPORTERS
SAY:**

Many chemical dependency counselors are former drug or alcohol addicts who choose to be counselors to better their lives and help others learn from their experiences. It is this experience that allows them to better relate to those receiving counseling services than do other professionals. Peer assistance programs currently are required to be available to these counselors to ensure their ability to perform these services for others. CSHB 3145 would require a \$10 surcharge on counselor license and renewal applications to help cover certain administrative costs of these programs.

Three years ago, Texas began using the new International Certification and Reciprocity Consortium chemical dependency counselor written application exam. This exam incorporated many aspects of the oral exam, making that section duplicative. CSHB 3145 simply would eliminate this unnecessary step in the application process.

With licensing requiring more than 4,000 hours (over two years, if full-time) of hands-on training, an associate degree, a written exam, among other things, a five-year waiting period after a class B misdemeanor conviction is unnecessarily long. Allowing an applicant to obtain a license three years after a conviction or community supervision would be sufficient and allow these former addicts to share their experience, background, and history with those who need their services.

**OPPONENTS
SAY:**

A person wanting to become a chemical dependency counselor already pays \$20 for the application fee, \$40 for a background check, \$75 for the license fee, and \$115 for each license renewal. Texas should not impose an additional fee on counselors looking to provide needed services to others.

NOTES:

The companion bill, SB 1447 by Zaffirini, was referred to the Senate Committee on Health and Human Services on March 22.

The Legislative Budget Board determined that the bill would raise \$23,000 annually for the general revenue-dedicated chemical dependency counselor account over the next five fiscal years.