

CHAPTER 148C

ALCOHOL AND DRUG COUNSELORS, LICENSING

148C.01	Definitions.	148C.055	Inactive or lapsed license.
148C.03	Duties of commissioner.	148C.07	Reciprocity.
148C.0351	Procedures for admission to licensure.	148C.075	Continuing education requirements.
148C.0355	Commissioner action on applications for licensure.	148C.10	Prohibition against unlicensed practice or use of titles; penalty.
148C.04	Requirements for licensure.	148C.11	Exceptions to license requirement.
148C.045	Alcohol and drug counselor technician.	148C.12	Fees.
148C.05	License renewal requirements; lapse.		

148C.01 DEFINITIONS.

[For text of subd 1, see M.S.2002]

Subd. 1a. **Accrediting association.** "Accrediting association" means an organization recognized by the commissioner that evaluates schools and education programs of alcohol and drug counseling or is listed in Nationally Recognized Accrediting Agencies and Associations, Criteria and Procedures for Listing by the U.S. Secretary of Education and Current List (1996), which is incorporated by reference.

Subd. 2. **Alcohol and drug counselor.** "Alcohol and drug counselor" or "counselor" means a person who:

(1) uses, as a representation to the public, any title, initials, or description of services incorporating the words "alcohol and drug counselor";

(2) offers to render professional alcohol and drug counseling services relative to the abuse of or the dependency on alcohol or other drugs to the general public or groups, organizations, corporations, institutions, or government agencies for compensation, implying that the person is licensed and trained, experienced or expert in alcohol and drug counseling;

(3) holds a valid license issued under this chapter to engage in the practice of alcohol and drug counseling; or

(4) is an applicant for an alcohol and drug counseling license.

Subd. 2a. **Alcohol and drug counselor academic course work.** "Alcohol and drug counselor academic course work" means classroom education, which is directly related to alcohol and drug counseling and meets the requirements of section 148C.04, subdivision 5a, and is taken through an accredited school or educational program.

Subd. 2b. **Alcohol and drug counselor continuing education activity.** "Alcohol and drug counselor continuing education activity" means clock hours that meet the requirements of section 148C.075 and Minnesota Rules, part 4747.1100, and are obtained by a licensee at educational programs of annual conferences, lectures, panel discussions, workshops, seminars, symposiums, employer-sponsored inservices, or courses taken through accredited schools or education programs, including home study courses. A home study course need not be provided by an accredited school or education program to meet continuing education requirements.

Subd. 2c. **Alcohol and drug counselor technician.** "Alcohol and drug counselor technician" means a person not licensed as an alcohol and drug counselor who is performing acts authorized under section 148C.045.

Subd. 2d. **Alcohol and drug counselor training.** "Alcohol and drug counselor training" means clock hours obtained by an applicant at educational programs of annual conferences, lectures, panel discussions, workshops, seminars, symposiums, employer-sponsored inservices, or courses taken through accredited schools or education programs, including home study courses. Clock hours obtained from accredited schools or education programs must be measured under Minnesota Rules, part 4747.1100, subpart 5.

Subd. 2e. **Board.** "Board" means the Board of Behavioral Health and Therapy established by section 148B.51.

Subd. 2f. **Clock hour.** "Clock hour" means an instructional session of 50 consecutive minutes, excluding coffee breaks, registration, meals without a speaker, and social activities.

Subd. 2g. **Credential.** "Credential" means a license, permit, certification, registration, or other evidence of qualification or authorization to engage in the practice of an occupation.

[For text of subd 4, see M.S.2002]

Subd. 4a. **Licensee.** "Licensee" means a person who holds a valid license under this chapter.

[For text of subds 5 to 11, see M.S.2002]

Subd. 11a. **Student.** "Student" means a person enrolled in an alcohol and drug counselor education program at an accredited school or educational program and earning a minimum of nine semester credits per calendar year towards completion of an associate's, bachelor's, master's, or doctorate degree requirements that include an additional 18 semester credits or 270 clock hours of alcohol and drug counseling specific course work and 440 clock hours of practicum.

Subd. 12. **Supervised alcohol and drug counselor.** "Supervised alcohol and drug counselor" means a student, either before, during, or after the student completes a program from an accredited school or educational program of alcohol and drug counseling, an intern, or a person issued a temporary permit under section 148C.04, subdivision 4, and who is supervised by a person either licensed under this chapter or exempt under its provisions.

Subd. 12a. **Supervisor.** "Supervisor" means a licensed alcohol and drug counselor licensed under this chapter or other licensed professional practicing alcohol and drug counseling under section 148C.11 who monitors activities of and accepts legal liability for the person practicing under supervision. A supervisor shall supervise no more than three trainees practicing under section 148C.04, subdivision 6.

[For text of subds 13 to 18, see M.S.2002]

History: 2003 c 118 s 17; 1Sp2003 c 14 art 5 s 1-12

NOTE: Subdivision 2e, as added by Laws 2003, chapter 118, section 17, is effective July 1, 2005. Laws 2003, chapter 118, section 17, the effective date.

NOTE: Subdivision 6 is repealed by Laws 2003, chapter 118, section 29, paragraph (b), effective July 1, 2005. Laws 2003, chapter 118, section 29, paragraph (b), the effective date.

148C.03 DUTIES OF COMMISSIONER.

Subdivision 1. **General.** The commissioner shall, after consultation with the advisory council or a committee established by rule:

(a) adopt and enforce rules for licensure of alcohol and drug counselors, including establishing standards and methods of determining whether applicants and licensees are qualified under section 148C.04. The rules must provide for examinations and establish standards for the regulation of professional conduct. The rules must be designed to protect the public;

(b) develop and, at least twice a year, administer an examination to assess applicants' knowledge and skills. The commissioner may contract for the administration of an examination with an entity designated by the commissioner. The examinations must be psychometrically valid and reliable; must be written and oral, with the oral examination based on a written case presentation; must minimize cultural bias; and must be balanced in various theories relative to the practice of alcohol and drug counseling;

(c) issue licenses to individuals qualified under sections 148C.01 to 148C.11;

(d) issue copies of the rules for licensure to all applicants;

(e) adopt rules to establish and implement procedures, including a standard disciplinary process and rules of professional conduct;

- (f) carry out disciplinary actions against licensees;
- (g) establish, with the advice and recommendations of the advisory council, written internal operating procedures for receiving and investigating complaints and for taking disciplinary actions as appropriate;
- (h) educate the public about the existence and content of the rules for alcohol and drug counselor licensing to enable consumers to file complaints against licensees who may have violated the rules;
- (i) evaluate the rules in order to refine and improve the methods used to enforce the commissioner's standards; and
- (j) collect license fees for alcohol and drug counselors.

[For text of subd 4, see M.S.2002]

History: 1Sp2003 c 14 art 5 s 13

148C.0351 PROCEDURES FOR ADMISSION TO LICENSURE.

Subdivision 1. **Application forms.** Unless exempted under section 148C.11, a person who practices alcohol and drug counseling in Minnesota must:

- (1) apply to the commissioner for a license to practice alcohol and drug counseling on forms provided by the commissioner;
- (2) include with the application a statement that the statements in the application are true and correct to the best of the applicant's knowledge and belief;
- (3) include with the application a nonrefundable application fee specified in section 148C.12;
- (4) include with the application information describing the applicant's experience, including the number of years and months the applicant has practiced alcohol and drug counseling as defined in section 148C.01;
- (5) include with the application the applicant's business address and telephone number, or home address and telephone number if the applicant conducts business out of the home, and if applicable, the name of the applicant's supervisor, manager, and employer;
- (6) include with the application a written and signed authorization for the commissioner to make inquiries to appropriate state regulatory agencies and private credentialing organizations in this or any other state where the applicant has practiced alcohol and drug counseling; and
- (7) complete the application in sufficient detail for the commissioner to determine whether the applicant meets the requirements for filing. The commissioner may ask the applicant to provide additional information necessary to clarify incomplete or ambiguous information submitted in the application.

Subd. 2. [Repealed, 1Sp2003 c 14 art 5 s 30]

[For text of subd 3, see M.S.2002]

Subd. 4. **Initial license; term.** (a) An initial license is effective on the date the commissioner indicates on the license certificate, with the license number, sent to the applicant upon approval of the application.

(b) An initial license is valid for a period beginning with the effective date in paragraph (a) and ending on the date specified by the commissioner on the license certificate placing the applicant in an existing two-year renewal cycle, as established under section 148C.05, subdivision 1.

History: 1Sp2003 c 14 art 5 s 14,15

148C.0355 COMMISSIONER ACTION ON APPLICATIONS FOR LICENSURE.

The commissioner shall act on each application for licensure within 90 days from the date the completed application and all required information is received by the commissioner. The commissioner shall determine if the applicant meets the require-

ments for licensure and whether there are grounds for denial of licensure under this chapter. If the commissioner denies an application on grounds other than the applicant's failure of an examination, the commissioner shall:

(1) notify the applicant, in writing, of the denial and the reason for the denial and provide the applicant 30 days from the date of the letter informing the applicant of the denial in which the applicant may provide additional information to address the reasons for the denial. If the applicant does not respond in writing to the commissioner within the 30-day period, the denial is final. If the commissioner receives additional information, the commissioner shall review it and make a final determination thereafter;

(2) notify the applicant that an application submitted following denial is a new application and must be accompanied by the appropriate fee as specified in section 148C.12; and

(3) notify the applicant of the right to request a hearing under chapter 14.

History: *1Sp2003 c 14 art 5 s 16*

148C.04 REQUIREMENTS FOR LICENSURE.

Subdivision 1. General requirements. The commissioner shall issue licenses to the individuals qualified under this chapter to practice alcohol and drug counseling.

Subd. 2. Fee. Each applicant shall pay a nonrefundable fee as specified in section 148C.12. Fees paid to the commissioner shall be deposited in the special revenue fund.

Subd. 3. Requirements for licensure before July 1, 2008. An applicant for a license must furnish evidence satisfactory to the commissioner that the applicant has met all the requirements in clauses (1) to (3). The applicant must have:

(1) received an associate degree, or an equivalent number of credit hours, and a certificate in alcohol and drug counseling, including 18 semester credits or 270 clock hours of academic course work in accordance with subdivision 5a, paragraph (a), from an accredited school or educational program and 880 clock hours of supervised alcohol and drug counseling practicum;

(2) completed a written case presentation and satisfactorily passed an oral examination established by the commissioner that demonstrates competence in the core functions; and

(3) satisfactorily passed a written examination as established by the commissioner.

Subd. 4. Requirements for licensure after July 1, 2008. An applicant for a license must submit evidence to the commissioner that the applicant has met one of the following requirements:

(1) the applicant must have:

(i) received a bachelor's degree from an accredited school or educational program, including 18 semester credits or 270 clock hours of academic course work in accordance with subdivision 5a, paragraph (a), from an accredited school or educational program and 880 clock hours of supervised alcohol and drug counseling practicum;

(ii) completed a written case presentation and satisfactorily passed an oral examination established by the commissioner that demonstrates competence in the core functions; and

(iii) satisfactorily passed a written examination as established by the commissioner;

or

(2) the applicant must meet the requirements of section 148C.07.

Subd. 5a. Academic course work. (a) Minimum academic course work requirements for licensure as referred to under subdivision 3, clause (1), and subdivision 4, clause (1), item (i), must be in the following areas:

(1) overview of alcohol and drug counseling focusing on the transdisciplinary foundations of alcohol and drug counseling and providing an understanding of theories of chemical dependency, the continuum of care, and the process of change;

(2) pharmacology of substance abuse disorders and the dynamics of addiction;

- (3) screening, intake, assessment, and treatment planning;
- (4) counseling theory and practice, crisis intervention, orientation, and client education;
- (5) case management, consultation, referral, treatment planning, reporting, record keeping, and professional and ethical responsibilities; and
- (6) multicultural aspects of chemical dependency to include awareness of learning outcomes described in Minnesota Rules, part 4747.1100, subpart 2, and the ability to know when consultation is needed.

(b) Advanced academic course work includes, at a minimum, the course work required in paragraph (a) and additional course work in the following areas:

- (1) advanced study in the areas listed in paragraph (a);
- (2) chemical dependency and the family;
- (3) treating substance abuse disorders in culturally diverse and identified populations;
- (4) dual diagnoses/co-occurring disorders with substance abuse disorders; and
- (5) ethics and chemical dependency.

Subd. 6. Temporary permit requirements. (a) The commissioner shall issue a temporary permit to practice alcohol and drug counseling prior to being licensed under this chapter if the person:

- (1) either:
 - (i) submits verification of a current and unrestricted credential for the practice of alcohol and drug counseling from a national certification body or a certification or licensing body from another state, United States territory, or federally recognized tribal authority;
 - (ii) submits verification of the completion of at least 64 semester credits, including 270 clock hours or 18 semester credits of formal classroom education in alcohol and drug counseling and at least 880 clock hours of alcohol and drug counseling practicum from an accredited school or educational program; or
 - (iii) meets the requirements of section 148C.11, subdivision 6, clauses (1), (2), and (5);

(2) applies, in writing, on an application form provided by the commissioner, which includes the nonrefundable temporary permit fee as specified in section 148C.12 and an affirmation by the person's supervisor, as defined in paragraph (c), clause (1), which is signed and dated by the person and the person's supervisor; and

(3) has not been disqualified to practice temporarily on the basis of a background investigation under section 148C.09, subdivision 1a.

(b) The commissioner must notify the person in writing within 90 days from the date the completed application and all required information is received by the commissioner whether the person is qualified to practice under this subdivision.

(c) A person practicing under this subdivision:

- (1) may practice under tribal jurisdiction or under the direct supervision of a person who is licensed under this chapter;
- (2) is subject to the rules of professional conduct set by rule; and
- (3) is not subject to the continuing education requirements of section 148C.075.

(d) A person practicing under this subdivision must use the title or description stating or implying that the person is a trainee engaged in the practice of alcohol and drug counseling.

(e) A person practicing under this subdivision must annually submit a renewal application on forms provided by the commissioner with the renewal fee required in section 148C.12, subdivision 3, and the commissioner may renew the temporary permit if the trainee meets the requirements of this subdivision. A trainee may renew a practice permit no more than five times.

(f) A temporary permit expires if not renewed, upon a change of employment of the trainee or upon a change in supervision, or upon the granting or denial by the commissioner of a license.

Subd. 7. **Effect and suspension of temporary permit.** Approval of a person's application for temporary permit creates no rights to or expectation of approval from the commissioner for licensure as an alcohol and drug counselor. The commissioner may suspend or restrict a person's temporary permit status according to section 148C.09.

History: *1Sp2003 c 14 art 5 s 17*

148C.045 ALCOHOL AND DRUG COUNSELOR TECHNICIAN.

An alcohol and drug counselor technician may perform the services described in section 148C.01, subdivision 9, paragraphs (1), (2), and (3), while under the direct supervision of a licensed alcohol and drug counselor.

History: *1Sp2003 c 14 art 5 s 18*

148C.05 LICENSE RENEWAL REQUIREMENTS; LAPSE.

Subdivision 1. **Biennial renewal.** A license must be renewed every two years.

Subd. 1a. **Renewal requirements.** To renew a license, an applicant must submit to the commissioner:

(1) a completed and signed application for license renewal, including a signed consent authorizing the commissioner to obtain information about the applicant from third parties, including, but not limited to, employers, former employers, and law enforcement agencies;

(2) the renewal fee required under section 148C.12; and

(3) additional information as requested by the commissioner to clarify information presented in the renewal application. The licensee must submit information within 30 days of the date of the commissioner's request.

Subd. 2. [Repealed, 1Sp2003 c 14 art 5 s 30]

Subd. 3. [Repealed, 1Sp2003 c 14 art 5 s 30]

Subd. 4. [Repealed, 1Sp2003 c 14 art 5 s 30]

Subd. 5. **License renewal notice.** At least 60 calendar days before the renewal deadline date in subdivision 6, the commissioner shall mail a renewal notice to the licensee's last known address on file with the commissioner. The notice must include an application for license renewal, the renewal deadline, and notice of fees required for renewal. The licensee's failure to receive notice does not relieve the licensee of the obligation to meet the renewal deadline and other requirements for license renewal.

Subd. 6. **Renewal deadline and lapse of licensure.** (a) Licensees must comply with paragraphs (b) to (d).

(b) Each license certificate must state an expiration date. An application for license renewal must be received by the commissioner or postmarked at least 30 calendar days before the expiration date. If the postmark is illegible, the application must be considered timely if received at least 21 calendar days before the expiration date.

(c) An application for license renewal not received within the time required under paragraph (b) must be accompanied by a late fee in addition to the renewal fee required in section 148C.12.

(d) A licensee's license lapses if the licensee fails to submit to the commissioner a license renewal application by the licensure expiration date. A licensee shall not engage in the practice of alcohol and drug counseling while the license is lapsed. A licensee whose license has lapsed may renew the license by complying with section 148C.055.

History: *1Sp2003 c 14 art 5 s 19-22*

148C.055 INACTIVE OR LAPSED LICENSE.

Subdivision 1. **Inactive license status.** Unless a complaint is pending against the licensee, a licensee whose license is in good standing may request, in writing, that the license be placed on the inactive list. If a complaint is pending against a licensee, a license may not be placed on the inactive list until action relating to the complaint is concluded. The commissioner must receive the request for inactive status before expiration of the license. A request for inactive status received after the license expiration date must be denied. A licensee may renew a license that is inactive under this subdivision by meeting the renewal requirements of subdivision 2, except that payment of a late renewal fee is not required. A licensee must not practice alcohol and drug counseling while the license is inactive.

Subd. 2. **Renewal of inactive license.** A licensee whose license is inactive shall renew the inactive status by the inactive status expiration date determined by the commissioner or the license will lapse. An application for renewal of inactive status must include evidence satisfactory to the commissioner that the licensee has completed 40 clock hours of continuing professional education required in section 148C.075, and be received by the commissioner at least 30 calendar days before the expiration date. If the postmark is illegible, the application must be considered timely if received at least 21 calendar days before the expiration date. Late renewal of inactive status must be accompanied by a late fee as required in section 148C.12.

Subd. 3. **Renewal of lapsed license.** An individual whose license has lapsed for less than two years may renew the license by submitting:

- (1) a completed and signed license renewal application;
- (2) the inactive license renewal fee or the renewal fee and the late fee as required under section 148C.12; and
- (3) proof of having met the continuing education requirements in section 148C.075 since the individual's initial licensure or last license renewal. The license issued is then effective for the remainder of the next two-year license cycle.

Subd. 4. **License renewal for two years or more after license expiration date.** An individual who submitted a license renewal two years or more after the license expiration date must submit the following:

- (1) a completed and signed application for licensure, as required by section 148C.0351;
- (2) the initial license fee as required in section 148C.12; and
- (3) verified documentation of having achieved a passing score within the past year on an examination required by the commissioner.

History: *1Sp2003 c 14 art 5 s 23*

148C.06 [Repealed, 1Sp2003 c 14 art 5 s 30]

148C.07 RECIPROCITY.

(a) An individual who holds a current license or national certification as an alcohol and drug counselor from another jurisdiction must file with the commissioner a completed application for licensure by reciprocity containing the information required under this section.

(b) The applicant must request the credentialing authority of the jurisdiction in which the credential is held to send directly to the commissioner a statement that the credential is current and in good standing, the applicant's qualifications that entitled the applicant to the credential, and a copy of the jurisdiction's credentialing laws and rules that were in effect at the time the applicant obtained the credential.

(c) The commissioner shall issue a license if the commissioner finds that the requirements, which the applicant had to meet to obtain the credential from the other jurisdiction were substantially similar to the current requirements for licensure in this chapter, and the applicant is not otherwise disqualified under section 148C.09.

History: *1Sp2003 c 14 art 5 s 24*

148C.075 CONTINUING EDUCATION REQUIREMENTS.

Subdivision 1. **General requirements.** The commissioner shall establish a two-year continuing education reporting schedule requiring licensees to report completion of the requirements of this section. Licensees must document completion of a minimum of 40 clock hours of continuing education activities each reporting period. A licensee may be given credit only for activities that directly relate to the practice of alcohol and drug counseling, the core functions, or the rules of professional conduct in Minnesota Rules, part 4747.1400. The continuing education reporting form must require reporting of the following information:

- (1) the continuing education activity title;
- (2) a brief description of the continuing education activity;
- (3) the sponsor, presenter, or author;
- (4) the location and attendance dates;
- (5) the number of clock hours; and
- (6) a statement that the information is true and correct to the best knowledge of the licensee.

Only continuing education obtained during the previous two-year reporting period may be considered at the time of reporting. Clock hours must be earned and reported in increments of one-half clock hour with a minimum of one clock hour for each continuing education activity.

Subd. 2. **Continuing education requirements for licensee's first four years.** A licensee must, as part of meeting the clock hour requirement of this section, obtain and document 18 hours of cultural diversity training within the first four years after the licensee's initial license effective date according to the commissioner's reporting schedule.

Subd. 3. **Continuing education requirements after licensee's initial four years.** Beginning four years following a licensee's initial license effective date and according to the board's reporting schedule, a licensee must document completion of a minimum of six clock hours each reporting period of cultural diversity training. Licensees must also document completion of six clock hours in courses directly related to the rules of professional conduct in Minnesota Rules, part 4747.1400.

Subd. 4. **Standards for approval.** In order to obtain clock hour credit for a continuing education activity, the activity must:

- (1) constitute an organized program of learning;
- (2) reasonably be expected to advance the knowledge and skills of the alcohol and drug counselor;
- (3) pertain to subjects that directly relate to the practice of alcohol and drug counseling and the core functions of an alcohol and drug counselor, or the rules of professional conduct in Minnesota Rules, part 4747.1400;
- (4) be conducted by individuals who have education, training, and experience and are knowledgeable about the subject matter; and
- (5) be presented by a sponsor who has a system to verify participation and maintains attendance records for three years, unless the sponsor provides dated evidence to each participant with the number of clock hours awarded.

History: *1Sp2003 c 14 art 5 s 25*

148C.10 PROHIBITION AGAINST UNLICENSED PRACTICE OR USE OF TITLES; PENALTY.

Subdivision 1. **Practice.** No person, other than those individuals exempted under section 148C.11 or 148C.045, shall engage in alcohol and drug counseling without first being licensed under this chapter as an alcohol and drug counselor. For purposes of this chapter, an individual engages in the practice of alcohol and drug counseling if the individual performs or offers to perform alcohol and drug counseling services as

defined in section 148C.01, subdivision 10, or if the individual is held out as able to perform those services.

Subd. 1a. [Repealed, 1Sp2003 c 14 art 5 s 30]

Subd. 2. **Use of titles.** No person shall present themselves or any other individual to the public by any title incorporating the words "licensed alcohol and drug counselor" or otherwise hold themselves out to the public by any title or description stating or implying that they are licensed or otherwise qualified to practice alcohol and drug counseling unless that individual holds a valid license. Persons issued a temporary permit must use titles consistent with section 148C.04, subdivision 6, paragraph (c).

[For text of subd 3, see M.S.2002]

History: 1Sp2003 c 14 art 5 s 26,27

148C.11 EXCEPTIONS TO LICENSE REQUIREMENT.

Subdivision 1. **Other professionals.** (a) Nothing in this chapter prevents members of other professions or occupations from performing functions for which they are qualified or licensed. This exception includes, but is not limited to, licensed physicians, registered nurses, licensed practical nurses, licensed psychological practitioners, members of the clergy, American Indian medicine men and women, licensed attorneys, probation officers, licensed marriage and family therapists, licensed social workers, licensed professional counselors, licensed school counselors, and registered occupational therapists or occupational therapy assistants.

(b) Nothing in this chapter prohibits technicians and resident managers in programs licensed by the Department of Human Services from discharging their duties as provided in Minnesota Rules, chapter 9530.

(c) Any person who is exempt under this section but who elects to obtain a license under this chapter is subject to this chapter to the same extent as other licensees.

(d) These persons must not, however, use a title incorporating the words "alcohol and drug counselor" or "licensed alcohol and drug counselor" or otherwise hold themselves out to the public by any title or description stating or implying that they are engaged in the practice of alcohol and drug counseling, or that they are licensed to engage in the practice of alcohol and drug counseling. Persons engaged in the practice of alcohol and drug counseling are not exempt from the commissioner's jurisdiction solely by the use of one of the above titles.

Subd. 2. **Students.** Nothing in sections 148C.01 to 148C.10 shall prevent students enrolled in an accredited school of alcohol and drug counseling from engaging in the practice of alcohol and drug counseling while under qualified supervision in an accredited school of alcohol and drug counseling.

Subd. 3. **Federally recognized tribes; ethnic minorities.** (a) Alcohol and drug counselors practicing alcohol and drug counseling according to standards established by federally recognized tribes, while practicing under tribal jurisdiction, are exempt from the requirements of this chapter. In practicing alcohol and drug counseling under tribal jurisdiction, individuals practicing under that authority shall be afforded the same rights, responsibilities, and recognition as persons licensed pursuant to this chapter.

(b) The commissioner shall develop special licensing criteria for issuance of a license to alcohol and drug counselors who: (1) practice alcohol and drug counseling with a member of an ethnic minority population or with a person with a disability as defined by rule; or (2) are employed by agencies whose primary agency service focus addresses ethnic minority populations or persons with a disability as defined by rule. These licensing criteria may differ from the licensing requirements specified in section 148C.04. To develop, implement, and evaluate the effect of these criteria, the commissioner shall establish a committee comprised of, but not limited to, representatives from the Minnesota Commission Serving Deaf and Hard-of-Hearing People, the Council on Affairs of Chicano/Latino People, the Council on Asian-Pacific Minnesotans, the Council on Black Minnesotans, the Council on Disability, and the Indian Affairs Council. The committee does not expire.

(c) The commissioner shall issue a license to an applicant who (1) is an alcohol and drug counselor who is exempt under paragraph (a) from the requirements of this chapter; (2) has at least 2,000 hours of alcohol and drug counselor experience as defined by the core functions; and (3) meets the licensing requirements that are in effect on the date of application under section 148C.04, subdivision 3 or 4, except the written case presentation and oral examination component under section 148C.04, subdivision 3, clause (2), or 4, clause (1), item (ii). When applying for a license under this paragraph, an applicant must follow the procedures for admission to licensure specified under section 148C.0351. A person who receives a license under this paragraph must complete the written case presentation and satisfactorily pass the oral examination component under section 148C.04, subdivision 3, clause (2), or 4, clause (1), item (ii), at the earliest available opportunity after the commissioner begins administering oral examinations. The commissioner may suspend or restrict a person's license according to section 148C.09 if the person fails to complete the written case presentation and satisfactorily pass the oral examination. This paragraph expires July 1, 2004.

Subd. 4. Hospital alcohol and drug counselors. Effective January 1, 2006, hospitals employing alcohol and drug counselors shall be required to employ licensed alcohol and drug counselors. An alcohol or drug counselor employed by a hospital must be licensed as an alcohol and drug counselor in accordance with this chapter.

Subd. 5. City, county, and state agency alcohol and drug counselors. Effective January 1, 2006, city, county, and state agencies employing alcohol and drug counselors shall be required to employ licensed alcohol and drug counselors. An alcohol and drug counselor employed by a city, county, or state agency must be licensed as an alcohol and drug counselor in accordance with this chapter.

Subd. 6. Transition period for hospital and city, county, and state agency alcohol and drug counselors. For the period between July 1, 2003, and January 1, 2006, the commissioner shall grant a license to an individual who is employed as an alcohol and drug counselor at a Minnesota hospital or a city, county, or state agency in Minnesota if the individual:

(1) was employed as an alcohol and drug counselor at a hospital or a city, county, or state agency before August 1, 2002;

(2) has 8,000 hours of alcohol and drug counselor work experience;

(3) has completed a written case presentation and satisfactorily passed an oral examination established by the commissioner;

(4) has satisfactorily passed a written examination as established by the commissioner; and

(5) meets the requirements in section 148C.0351.

History: *1Sp2003 c 14 art 5 s 28*

148C.12 FEES.

Subdivision 1. Application fee. The application fee is \$295.

Subd. 2. Biennial renewal fee. The license renewal fee is \$295. If the commissioner changes the renewal schedule and the expiration date is less than two years, the fee must be prorated.

Subd. 3. Temporary permit fee. The initial fee for applicants under section 148C.04, subdivision 6, paragraph (a), is \$100. The fee for annual renewal of a temporary permit is \$100.

Subd. 4. Examination fee. The examination fee for the written examination is \$95 and for the oral examination is \$200.

Subd. 5. Inactive renewal fee. The inactive renewal fee is \$150.

Subd. 6. Late fee. The late fee is 25 percent of the biennial renewal fee, the inactive renewal fee, or the annual fee for renewal of temporary practice status.

Subd. 7. **Fee to renew after expiration of license.** The fee for renewal of a license that has expired for less than two years is the total of the biennial renewal fee, the late fee, and a fee of \$100 for review and approval of the continuing education report.

Subd. 8. **Fee for license verifications.** The fee for license verification to institutions and other jurisdictions is \$25.

Subd. 9. **Surcharge fee.** Notwithstanding section 16A.1285, subdivision 2, a surcharge of \$99 shall be paid at the time of initial application for or renewal of an alcohol and drug counselor license until June 30, 2013.

Subd. 10. **Nonrefundable fees.** All fees are nonrefundable.

History: *1Sp2003 c 14 art 5 s 29; art 7 s 53*