

September 1, 2009

To: Members, Joint Legislative Commission on Governmental Operations
Kathy Davis, Commission Assistant
Karen Hammonds-Blanks and Debora Bridges, Fiscal Research Division

From: E. Ann Christian, Rulemaking Coordinator
N.C. Substance Abuse Professional Practice Board

Re: Request for Consultation regarding Rule 21 NCAC 68 .0213 (Continuing Education Policy)

The North Carolina Substance Abuse Professional Practice Board makes this request for consultation, pursuant to North Carolina General Statute § 12-3.1, regarding a continuing education approval policy fee Rule to be published in the September 1, 2009, North Carolina Register, Volume 24, Issue 5. The Rule citation is 21 NCAC 68 .0213 (Continuing Education Approval Policy). A copy of this rule is attached.

The amounts of the fees in the proposed Rule are established as follows:

- a. \$25.00 for up to 10 hours
- b. \$50.00 for more than 10 hours and up to 20 hours
- c. \$75.00 for more than 20 hours and up to 30 hours
- d. \$100.00 for more than 30 hours and up to 40 hours
- e. \$125.00 for more than 40 hours.

Statutory Authority: G.S. 90-113.30; 90-113.33; 90-113.38; 90-113.39; 90-113.40.

Reason for Proposed Action: The Board is the registering, certifying, and licensing authority for substance abuse professionals and is charged to safeguard the health, safety, and welfare of the public. For this purpose the Board is authorized to provide for the establishment of standards for the education of credentialed substance abuse professionals, including their continuing education. This proposed Rule establishes fees for administrative services in support of Board review as well as notice of courses with information describing specific approved training events appearing in the Board's quarterly newsletter and on the website. The fees are charged to individuals, substance abuse facilities, health education centers, and colleges providing continuing education for persons credentialed by the Board. The approval code issued is utilized for twelve calendar months. During the 2008-09 fiscal year, the Board collected \$24,128.32 in revenue from Training Approval review fees.

Respectfully submitted,

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21 NCAC 68 .0213 is proposed for amendment as follows:

21 NCAC 68 .0213 CONTINUING EDUCATION APPROVAL POLICY

(a) The Board shall approve educational events for professional ~~certification~~ credentialing. One certified hour is defined as one contact hour of participation in an organized continuing education experience. Continuing education used to meet the ~~certification~~ credentialing requirements shall be reviewed and ~~approved by the Board.~~ approved according to these rules. If the sponsor does not obtain ~~credit approval~~ from the Board, the individual participants shall be responsible for supplying all of the required information for each continuing education session at the time of request for ~~certification or re-certification~~ credentialing or re-credentialing or conversion. The Standards ~~and Credentials~~ Committee shall review requests ~~once monthly.~~ quarterly. Submission of approval requests ~~should~~ shall be ~~postmarked~~ received 45 days prior to opening day of the event.

(b) Any applicant for training approval shall ~~submit:~~ submit a training approval request form including:

- (1) Title of course, date, location, individual or organization sponsor, whether it will be held only once or recurring.
- (2) Presenter(s) who shall attach a resume outlining expertise in the subject area and content of the session.
- (3) ~~Brief but thorough~~ A description of the contents of a track, course, seminar, and the type of credit hours being ~~requested, to include substance abuse specific or general skill building,~~ requested to indicate if it is substance abuse specific, general skill building, or required training pursuant to other specialized credentials including Criminal Justice Addictions Professionals, Clinical Supervisors, Residential Facility Directors, or Prevention Consultants.
- (4) Agenda, to include the breakdown of time including a 15 minute break for every two hours of education and amount of time allowed for meals.
- ~~(5) Application for training approval shall include a copy of the objective evaluation tool to be used.~~
- ~~(6) A summary of evaluation that shall be submitted to the Board within 45 days following the program date(s).~~
- (5) The sponsor or individual seeking approval shall pay an annual fee as follows:
 - a. \$25.00 for up to 10 hours;
 - b. \$50.00 for more than 10 hours and up to 20 hours;
 - c. \$75.00 for more than 20 hours and up to 30 hours;
 - d. \$100.00 for more than 30 hours and up to 40 hours;
 - e. \$125.00 for more than 40 hours.

~~(c) The Board may review programs by sending a Board member or designee to monitor the event or a portion of the event. When fulfilling this quality assurance role, the designated Board member shall present a letter of introduction to the presenter. The Board member shall not receive certification or recertification hours for attendance at these events.~~

~~(d) Certification hours may be awarded only for actual hours completed.~~

~~(e) Certificates shall not be released until the event ends or they shall be modified to reflect the actual hours completed.~~

~~(f) Providers of Board approved events shall be required to document attendance at individual events for schools, courses, curricula and conferences.~~

~~(g) Event sponsors shall maintain attendance and evaluation records for no less than three years.~~

~~(h) (c) Training approved by IC&RC/AODA, Inc. or its successor organization member boards and organizations granted deemed status shall be accepted with documentation of completion.~~

~~(i) (d) Employer inservice events In-service training shall meet the same requirements as set out in Paragraphs ~~(a)~~ (b) through (h) of this Rule. ~~Inservice includes any event provided in the applicant's organization by a person under the same employment as the applicant (military employment is considered within the same department).~~ However, if 20% of the participants persons who are non-employees of the sponsoring and presenting agency, agency are invited to participate, then it is not considered in-service and Board pre-approval shall be required. ~~the standard fee schedule shall be in effect.~~ Education received within the organization by outside trainers is not considered inservice.~~

~~(j) Credit shall not be given for the following:~~

~~(1) — Banquet speakers unless the content meets the requirements in this Rule;~~

~~(2) — Making one's own case presentation; or~~

~~(3) — Registration time.~~

~~(k) (e) Presenters shall be given one hour of credit for every one hour presented. However, if the original presentation is repeated, hours can only be credited for the original presentation.~~

~~(l) (f) The Board may revise or rescind credit hours if information is received documenting that a previously approved event was not presented as it was approved.~~

History Note: Authority G.S. 90-113.30; 90-113.33; 90-113.38; 90-113.39; 90-113.40;

Eff. August 1, 1996;

Amended Eff. January 1, 2010; August 1, 2000.