

Addictive Disorder Regulatory Authority (ADRA)

RULES (Title 46, Part LXXX)

LAC, CAC or RAC

SCOPE OF PRACTICE

- Client-** A person who seeks or is assigned the services of an addiction professional, regardless of the setting in which the counselor or specialist works. The professional-consumer relationship, once established, is deemed to continue for a minimum of 2 years after the termination of services or the date of the last professional contact with the consumer. The burden of proof that there is no harm or potential harm to that client shall be with the professional.
- §301 A.** A Licensed, Certified or Registered Addiction Counselor (LAC, CAC or RAC) is entitled to practice addiction counseling within the meaning and intent of these rules and regulations which shall consist of the rendering of professional guidance to individuals suffering from an addictive disorder to assist them in gaining an understanding of the nature of their disorder and developing and maintaining a responsible lifestyle. The scope of the practice shall include making referrals to appropriate professionals, providing counseling to family members, and, as appropriate, to others affected by the individual's addictive disorder, and utilizing the core functions, global criteria and the Knowledge, Skills and Attitudes (KSA's) of addictive disorder counseling.
- C.** Nothing in these rules and regulations shall be construed to authorize an addictions counselor to practice medicine, social work, or psychology, or to provide counseling for disorders other than addictive disorders. A substance abuse counselor shall not order, administer, or interpret psychological tests or utilize psychometric procedures.

PROHIBITED ACTIVITIES

- §1905.** No person shall hold himself out as holding, or knowingly allow others to conclude or believe he holds, a credential, certification or status issued or recognized by the ADRA, unless he has qualified for such under the provisions of the addictive disorders practice act and been granted the credential, certification or status pursuant to the ADRA's rules.

ENFORCEMENT AUTHORITY

- §901.** The ADRA shall have the power to deny, revoke, or suspend its certification of any person upon proof that such person:
1. Has been convicted of any offense, which constitutes a felony under the laws of this state, whether or not the conviction was in a court in this state.
 2. Is convicted of a felony or other serious crimes.
 3. Violates any provision of the ethical standards to which the ADRA subscribes.
 4. Attempts to practice medicine, psychology, or social work without being licensed in such professions.
 5. Is impaired in delivery of professional services because of alcohol or drug abuse, compulsive gambling or because of medical or psychiatric disability.
 6. Provides drugs or other restricted chemical substances to another person.
 7. Allows his certificate to be used by another person to illegally represent himself as a certified substance abuse counselor.
 8. Engages in sexual misconduct with a client or a family member of a client.
 9. Obtained certification by means of fraud, misrepresentation, or concealment of material facts.
 10. Has been found guilty of fraud or deceit in connection with services rendered.
 11. Has been grossly negligent in practice as a substance abuse counselor.
 12. Has violated any lawful order, rule, or regulation rendered or adopted by the ADRA.
 13. Has violated any provision of the Rules and Regulations of the ADRA.

CODE OF ETHICS

- §1501. Professional Representation**
- A. A counselor shall not misrepresent any professional qualifications or associations.
 - B. A counselor shall not misrepresent any agency or organization by presenting it as having attributes which it does not possess.
 - C. A counselor shall not make claims about the efficacy of any service that go beyond those which the counselor would be willing to subject to professional scrutiny through publishing the results and claims in a professional journal.
 - D. A counselor shall not encourage or, within the counselor's power, allow a client to hold exaggerated ideas about the efficacy of services provided by the counselor.
- §1503. Relationships with Clients**
- A. A counselor shall make known to a prospective client the important aspects of the professional relationship including fees and arrangements for payment which might affect the client's decision to enter into the relationship.
 - B. A counselor shall inform the client of the purposes, goals, techniques, rules of procedure, and limitations that may affect the relationship at or before the time that the counseling relationship is entered.

- C. A counselor shall provide counseling services only in the context of a professional relationship and not by means of newspaper or magazine articles, radio or television programs, mail or means of a similar nature.
- D. No commission or rebate or any other form or remuneration shall be given or received by a counselor for the referral of clients for professional services.
- E. A counselor shall not use relationships with clients to promote, for personal gain or the profit of an agency, commercial enterprises of any kind.
- F. A counselor shall not under normal circumstances be involved in the counseling of family members, intimate friends, close associates, or others whose welfare might be jeopardized by such a dual relationship.
- G. A counselor shall not in normal circumstances offer professional services to a person concurrently receiving counseling assistance from another professional except with knowledge of the professional.
- H. A counselor shall take reasonable personal action to inform responsible authorities and appropriate individuals in cases where a client's condition indicates a clear and imminent danger to the client or others.
- I. In group counseling settings, the counselor shall take reasonable precautions to protect individuals from physical and/or emotional trauma resulting from interaction within the group.
- J. A counselor shall not engage in activities that seek to meet the counselor's personal needs at the expense of a client.
- K. A counselor shall not engage in sexual intimacies with any client.
- L. A counselor shall terminate a professional relationship when it is reasonably clear that the client is not benefiting from it.

§1505. Counselors and the ADRA

- A. Irrespective of any training other than training in counseling which a person may have completed, or any other certification which a person may possess, or any other professional title or label which a person may claim, any person licensed as an LAC, CAC or RAC is bound by the provisions of the Counselor Act and the rules of the ADRA in rendering counseling services.
- B. A counselor shall have the responsibility of reporting alleged misrepresentations or violations of ADRA rules to the ADRA.
- C. A counselor shall keep his/her ADRA file updated by notifying the ADRA of changes of address, telephone number and employment.
- D. The ADRA may ask any applicant for certification (or recertification) as a counselor or specialty designation whose file contains negative references of substance abuse to come before the ADRA for an interview before the certification or specialty designation process may proceed.
- E. The ADRA shall consider the failure of a counselor to respond to a request for information or other correspondence as unprofessional conduct and grounds for disciplinary proceedings.
- F. A counselor must participate in continuing education programs which are required by ADRA rule.
- G. Applicants for certification as a counselor or for specialty designations shall not use current employees of the ADRA as references.

§1507. Advertising and Announcements

- A. Information used by a counselor in any advertisement or announcement of services shall not contain information, which is false, inaccurate, misleading, partial, out of context, or deceptive.
- B. The ADRA imposes no restrictions on advertising by a counselor with regard to the use of any medium, the counselor's personal appearance or the use of his personal voice, the size or duration of an advertisement by a counselor, or the use of a trade name.

§1509. Every Licensed Addiction Counselor Certified Addiction, Counselor and Registered Addiction Counselor (LAC, CAC and RAC) Must Agree to Affirm:

- A. That my primary goal is recovery for client and family, that I have a total commitment to provide the highest quality care for those who seek my professional services.
- B. That I shall evidence a genuine interest in all clients and do hereby dedicate myself to the best interest of my clients, and to assisting my clients to help themselves.
- C. That at all times I shall maintain an objective, nonpossessive, professional relationship with all clients.
- D. That I will be willing to recognize when it is to the best interest of a client to release or refer him to another program or individual.
- E. That I shall adhere to the rule of confidentiality of all records, material, and knowledge concerning the client.
- F. That I shall not in any way discriminate between clients or professionals, based on race, creed, age, sex, handicaps, or personal attributes.
- G. That I shall respect the rights and views of other counselors and professionals.
- H. That I shall maintain respect for institutional policies and management functions within agencies and institutions, but will take the initiative toward improving such policies, if it will best serve the interest of the client.
- I. That I have a commitment to assess my own personal strengths, limitations, biases, and effectiveness on a continuing basis, that I shall continuously strive for self-improvement, that I have a personal responsibility for professional growth through further education and training.
- J. That I have an individual responsibility for my own conduct.

Signature: _____

Date: _____