

1 **SENATE FLOOR VERSION**

2 April 5, 2023

3 ENGROSSED HOUSE
4 BILL NO. 2814

By: Kendrix of the House

5 and

6 Daniels of the Senate

7
8 An Act relating to sunset; amending 59 O.S. 2021,
9 Section 1873, which relates to the Oklahoma Board of
10 Licensed Alcohol and Drug Counselors; re-creating the
11 Board; and modifying termination date.

12 BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:

13 SECTION 1. AMENDATORY 59 O.S. 2021, Section 1873, is
14 amended to read as follows:

15 Section 1873. A. There is hereby re-created, to continue until
16 July 1, ~~2023~~ 2025, in accordance with the provisions of the Oklahoma
17 Sunset Law, the Oklahoma Board of Licensed Alcohol and Drug
18 Counselors, consisting of seven (7) members, to be appointed by the
19 Governor, with the advice and consent of the Senate, as follows:

- 20 1. a. Six members who shall be alcohol and drug counselors
21 certified by an entity recognized to do professional
22 alcohol and drug counseling certification in this
23 state; provided, however, five of such members shall
24 subsequently secure licensure and one such member

1 shall subsequently secure certification, pursuant to
2 the provisions of the Licensed Alcohol and Drug
3 Counselors Act, no later than January 1, 2005.

4 b. Thereafter, five members shall be licensed alcohol and
5 drug counselors at the time of appointment, and one
6 member shall be certified as an alcohol and drug
7 counselor at the time of appointment.

8 c. Pursuant to the provisions of this paragraph, the
9 Governor shall appoint:

10 (1) four members from a list of names submitted by
11 the Oklahoma Drug and Alcohol Professional
12 Counselors Association,

13 (2) one member from a list of names submitted by the
14 Oklahoma Substance Abuse Services Alliance, and

15 (3) one member from a list of names submitted by the
16 Oklahoma Citizen Advocates for Recovery and
17 Treatment Association.

18 d. One member shall be appointed from and shall represent
19 the general public. Such member shall be a resident
20 of this state who has attained the age of majority and
21 shall not be, nor shall ever have been, a licensed or
22 certified alcohol and drug counselor, or the spouse of
23 a licensed or certified alcohol and drug counselor, or
24 a person who has ever had any material financial

1 interest in the provision of alcohol and drug
2 counseling services or has engaged in any activity
3 directly related to the practice of alcohol and drug
4 counseling.

5 2. The composition of the Board shall include five members who
6 hold a master's or higher degree and one member whose highest degree
7 held is a bachelor's degree.

8 3. The Governor shall appoint the members to the Board no later
9 than July 1, 2004.

10 B. Each member of the Board appointed as a licensed alcohol and
11 drug counselor shall:

12 1. Be certified or licensed to engage in the practice of
13 alcohol and drug counseling in this state and shall be in good
14 standing; and

15 2. Have at least three (3) years of experience in the practice
16 of alcohol and drug counseling in this state.

17 C. Two of the members initially appointed shall serve three-
18 year terms; two shall serve four-year terms and three shall serve
19 five-year terms, as designated by the Governor. Thereafter, the
20 terms of all members shall be five (5) years.

21 D. A vacancy on the Board shall be filled in the same manner as
22 the original appointment for the balance of the unexpired term.
23 Members may succeed themselves but shall serve no more than two
24

1 consecutive terms. Each member shall serve until a successor is
2 appointed and qualified.

3 E. Members of the Board may be removed from office for one or
4 more of the following reasons:

5 1. The refusal or inability for any reason to perform the
6 duties of a Board member in an efficient, responsible and
7 professional manner;

8 2. The misuse of office for pecuniary or material gain or for
9 personal advantage for self or another;

10 3. A violation of the laws or rules governing the practice of
11 alcohol and drug counseling; or

12 4. Conviction of a felony as verified by a certified copy of
13 the record of the court of conviction.

14 F. Members of the Board shall serve without compensation, but
15 shall be reimbursed for actual and necessary travel expenses as
16 provided in the State Travel Reimbursement Act.

17 COMMITTEE REPORT BY: COMMITTEE ON ADMINISTRATIVE RULES
18 April 5, 2023 - DO PASS

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