

[First Reprint]
ASSEMBLY, No. 843

STATE OF NEW JERSEY

PRE-FILED FOR INTRODUCTION IN THE 1996 SESSION

By Assemblymen COTTRELL and MALONE

1 AN ACT to license and certify alcohol and drug counselors, creating
2 a State Board of Alcohol and Drug Counselor Examiners, revising
3 various parts of the statutory law and making an appropriation.

4

5 **BE IT ENACTED** by the Senate and General Assembly of the State
6 of New Jersey:

7

8 1. (New section) This act shall be known and may be cited as the
9 "Alcohol and Drug Counselor Licensing and Certification Act."

10

11 2. (New section) The Legislature finds and declares that: the
12 profession of alcohol and drug counseling profoundly affects the lives
13 and public safety of the people of New Jersey; the public interest
14 requires the establishment of professional licensing and certification
15 standards for alcohol and drug counselors to protect the citizens of
16 this State by setting standards of education, ethics, competencies and
17 experience for those persons presently practicing and for those seeking
18 to practice and be licensed or certified as alcohol and drug counselors
19 in this State; licensing and certification will enable other professionals,
20 health services providers, employers and the general public to
21 recognize qualified practicing alcohol and drug counselors; and
22 licensing and certification will provide assurances that professionals
23 engaged in alcohol and drug counseling meet acceptable standards of
24 education, experience, ethics and competency in practice which will
25 encourage and promote quality treatment and rehabilitation for drug
26 and alcohol abusers.

27

28 3. (New section) As used in this act:

29 "Alcohol and drug counseling" means the professional application
30 of alcohol and drug counseling methods which assist an individual or
31 group to develop an understanding of alcohol and drug dependency

EXPLANATION - Matter enclosed in bold-faced brackets [thus] in the above bill is not enacted and intended to be omitted in the law.

Matter underlined thus is new matter.

Matter enclosed in superscript numerals has been adopted as follows:

¹ Assembly ACP committee amendments adopted May 20, 1996.

1 problems, define goals, and plan action reflecting the individual's or
2 group's interest, abilities and needs as affected by alcohol and drug
3 dependency problems.

4 "Board" means the State Board of Alcohol and Drug Counselor
5 Examiners established pursuant to section 11 of this act.

6 "Certified alcohol and drug counselor" means a person who holds
7 a current, valid certificate issued pursuant to section 5 of this act.

8 "Department" means the Department of Law and Public Safety.

9 "Director" means the Director of the Division of Consumer Affairs
10 in the Department of Law and Public Safety.

11 "Licensed clinical alcohol and drug counselor" means a person who
12 holds a current, valid license issued pursuant to section 4 of this act.

13 "Self-help group" means a voluntary group of persons who offer
14 peer support to each other in recovering from an addiction.

15 "Supervised practical training" means supervision which seeks to
16 teach the knowledge and skills related to alcohol and drug counseling.

17 "Supervision" means the direct review of a supervisee for the
18 purpose of accountability teaching, training, administering, or clinical
19 review by a supervisor in the same area of specialized practice.

20

21 4. (New section) ¹a.¹ The board shall issue a license as a licensed
22 clinical alcohol and drug counselor to an applicant who has:

23 ¹[a.] (1)¹ Received a master's degree from an accredited institution
24 of higher education with a minimum of 18 graduate semester hours in
25 counseling or counseling related subjects; and

26 ¹[b.] (2)¹ Successfully completed all the requirements to be a
27 certified alcohol and drug counselor pursuant to section 5 of this act.

28 ¹b. The board shall issue a license as a licensed clinical alcohol and
29 drug counselor to any health care provider licensed by this State who,
30 within the scope of that provider's practice, diagnoses and treats drug
31 or alcohol related disorders, or both, and demonstrates to the board
32 that the person has equivalent education, training and comparable
33 years of experience as required pursuant to subsection a. of this
34 section, except that the person shall be exempt from meeting the
35 provisions of paragraphs (5) and (6) of subsection a. of section 5 of
36 this act.¹

37

38 5. (New section) a. The board shall issue a certificate as a
39 certified alcohol and drug counselor to an applicant who has:

40 (1) Had 300 hours of supervised practical training in alcohol and
41 drug counseling acceptable to the board. This practical training may
42 be part of the work experience pursuant to paragraph (2) of this
43 subsection a. and may be completed under more than one agency or
44 supervisor;

45 (2) Had two years of supervised work experience acceptable to the
46 board which may be paid or voluntary time working directly with

1 alcohol or other drug clients. This experience may include both direct
2 and indirect functions. Formal education or unsupervised work
3 experience may not be substituted for the required experience;

4 (3) Completed 270 hours of alcohol and drug education, including
5 formal classroom education, workshops, seminars, institutes,
6 in-service training and college or university work. This education shall
7 be related to the knowledge and skill base associated with the
8 functions of an alcohol and drug counselor. All education shall be
9 approved by the board;

10 (4) Attended alcohol and drug abuse self-help group meetings as
11 prescribed by the board; and

12 (5) Successfully completed an oral examination on the applicant's
13 written case presentation; and

14 (6) Successfully completed a written examination provided by the
15 board, which may be a written examination administered by a
16 nationally recognized alcohol and drug counseling certification
17 organization.

18 b. The experience and education requirements in subsection a. of
19 this section shall insure that the applicant is competent in the functions
20 of an alcohol and drug abuse counselor, which include: screening,
21 intake, orientation, assessment, treatment planning, counseling, case
22 management, crisis intervention, education and prevention, referral,
23 consultation with other professionals in regard to client treatment and
24 services, and reporting and recordkeeping.

25
26 6. (New section) a. Each license or certification issued by the
27 board shall become effective upon issuance and shall expire on the last
28 day of the month in the year that is exactly two years from the year
29 and month in which the license or certification was issued.

30 b. The license or certification may be renewed biennially by the
31 payment of a renewal fee set by the board and by the execution and
32 submission of a sworn statement by the applicant, made on a form
33 provided by the board, that the license or certification for which
34 renewal is sought has not been revoked or is not currently suspended.
35 Each applicant shall present satisfactory evidence when seeking license
36 or certification renewal that in the period since the license or
37 certification was issued, the continuing education requirements of this
38 act have been completed. Applications for renewal may be made
39 within 180 days after the expiration of the license or certification.
40 Thereafter, a new license or certification application shall be required.

41
42 7. (New section) a. No person shall engage in the practice of
43 alcohol and drug counseling as a licensed clinical alcohol and drug
44 counselor or certified alcohol and drug counselor, or present, call or
45 represent himself as a licensed clinical alcohol and drug counselor or
46 certified alcohol and drug counselor unless licensed or certified under

1 this act.

2 b. No person shall assume, represent himself as, or use the title or
3 designation "alcoholism counselor," "alcohol counselor," "drug
4 counselor," "alcohol and drug counselor," "alcoholism and drug
5 counselor," "licensed clinical alcohol and drug counselor," "certified
6 alcohol and drug counselor," "substance abuse counselor," "chemical
7 dependency counselor," or "chemical dependency supervisor," or any
8 of the abbreviations for the above titles, unless licensed or certified
9 under this act, and unless the title or designation corresponds to the
10 license or certification held by the person pursuant to this act.

11 c. No person shall engage in the independent practice of alcohol
12 and drug counseling for a fee unless the person is licensed under this
13 act as a licensed clinical alcohol and drug counselor.

14

15 8. (New section) a. Nothing in this act shall be construed to
16 prevent a person from engaging in or offering alcohol and drug
17 addiction services such as self-help, sponsorship through alcoholics
18 and narcotics anonymous groups or other uncompensated alcohol and
19 drug addiction counseling assistance.

20 b. Nothing in this act shall be construed to apply to the activities
21 and services of a designated employee or other agent of a private
22 employer who has been designated to be involved in the evaluation or
23 referral for counseling of employees of the private employer, or an
24 employee or other agent of a recognized academic institution, a
25 federal, State, county or local government institution, agency or
26 facility, or a school district, if the individual is performing these
27 activities solely within the company or agency, as the case may be, or
28 under the jurisdiction of that company or agency and if a license
29 granted under this act is not a requirement for employment.

30 c. Nothing in this act shall be construed to apply to the activities
31 and services of a rabbi, priest, minister, Christian Science practitioner
32 or clergyman of any religious denomination or sect, when engaging in
33 activities, which are within the scope of the performance of the
34 person's regular or specialized ministerial duties and for which no
35 separate charge is made, or when these activities are performed, with
36 or without charge, for or under the auspices or sponsorship,
37 individually or in conjunction with others, of an established and legally
38 cognizable church, denomination, or sect, and when the person
39 rendering services remains accountable to the established authority
40 thereof.

41 d. Nothing in this act shall be construed to apply to the activities
42 and services of a student, intern or trainee in alcohol and drug
43 addiction counseling pursuing a course of study in counseling in a
44 regionally accredited institution of higher education or training
45 institution, if these activities are performed under supervision and
46 constitute a part of the supervised course of study.

1 e. Nothing in this act shall be construed to apply to the activities
2 and services of a person licensed in the State to practice medicine and
3 surgery, psychology, marriage counseling, social work, clinical social
4 work, chiropractic, acupuncture, physical therapy, occupational
5 therapy, speech pathology and audiology, nursing or any other
6 profession licensed by the State, when acting within the scope of the
7 person's profession or occupation and doing work of a nature
8 consistent with a person's training, if the person does not hold himself
9 out to the public as possessing a license or certificate issued pursuant
10 to this act.

11

12 9. (New section) The board may grant a license or certification to
13 any person who at the time of application is licensed or certified by a
14 governmental agency located in another state, territory or jurisdiction,
15 if in the opinion of the board the requirements of that licensure or
16 certification are substantially similar to the requirements of this act.

17

18 10. (New section) An alcohol and drug counselor or clinical
19 alcohol and drug counselor certified or licensed pursuant to the
20 provisions of this act, or his employee, shall not disclose any
21 confidential information that the counselor, or his employee, may have
22 acquired while performing alcohol and drug counseling services for a
23 patient unless in accordance with the federal regulations regarding the
24 confidentiality of alcohol and drug patient records pursuant to 42
25 C.F.R. 2.1 et seq.

26

27 11. (New section) There is created within the Division of
28 Consumer Affairs the State Board of Alcohol and Drug Counselor
29 Examiners. The board shall consist of nine members who are residents
30 of the State, two of whom shall be public members appointed pursuant
31 to the provisions of subsection b. of section 2 of P.L.1971, c.60
32 (C.45:1-2.2) and one of whom shall be the Commissioner of Health,
33 or his designee, appointed in fulfillment of the requirement of
34 subsection c. of that section. Of the six remaining members, one shall
35 be a person who is either an educator representing a baccalaureate or
36 master's level program in counseling or actively engaged in alcohol and
37 drug counseling research and five shall have been actively engaged in
38 the practice of alcohol and drug counseling for at least five years
39 immediately preceding their appointment, have spent the major
40 portion of time devoted to such activity, during the two years
41 preceding appointment, in this State, and except for the members first
42 appointed, three shall be licensed clinical alcohol and drug counselors
43 and two shall be certified alcohol and drug counselors.

44

45 12. (New section) a. The Governor shall appoint each member of
46 the board for a term of three years, except that of the members first

1 appointed, three shall serve for terms of three years, three shall serve
2 for terms of two years and two shall serve for terms of one year. Any
3 vacancy in the membership shall be filled for the unexpired term in the
4 manner provided by the original appointment. No member of the
5 board may serve more than two successive terms in addition to any
6 unexpired term to which he has been appointed. The Governor may
7 remove any member of the board, other than the State executive
8 department member, for cause.

9 b. The first appointees to the board who meet the qualifications to
10 be licensed or certified shall be deemed to be and shall become
11 licensed clinical alcohol and drug counselors or certified alcohol and
12 drug counselors immediately upon their appointment and qualification
13 as members of the board.

14

15 13. (New section) The board shall, in addition to such other
16 powers and duties as it may possess by law:

17 a. Administer the provisions of this act;

18 b. Examine and pass on the qualifications of all applicants for
19 licensure or certification under this act, and issue a license or
20 certificate to each qualified successful applicant, therefor attesting to
21 the applicant's professional qualification to practice as a licensed
22 clinical alcohol and drug counselor or certified alcohol and drug
23 counselor;

24 c. Examine, evaluate and supervise all examinations and procedures
25 and certify as to whether or not the examinations and procedures are
26 as free as possible from cultural and linguistic bias;

27 d. Adopt a seal which shall be affixed to all licenses and certificates
28 issued by it;

29 e. Adopt rules and regulations pursuant to the "Administrative
30 Procedure Act," P.L.1968, c.410 (C.52:14B-1 et seq.) as it may deem
31 necessary to enable it to perform its duties under and to enforce the
32 provisions of this act, including, but not limited to: rules and
33 regulations that set professional practice standards for licensed clinical
34 alcohol and drug counselors in the independent practice of alcohol and
35 drug counseling for a fee and for certified alcohol and drug counselors;

36 f. Annually publish a list of the names and addresses of all licensed
37 clinical alcohol and drug counselors and all certified alcohol and drug
38 counselors who are licensed or certified under this act;

39 g. Establish standards for the continuing education of licensed
40 clinical alcohol and drug counselors and certified alcohol and drug
41 counselors which shall not exceed 40 hours every two years;

42 h. Recommend to the Governor and Legislature modifications and
43 amendments to this act deemed necessary by it to effectuate its
44 purposes; and

45 i. Prescribe or change the charges for examinations, certifications,
46 licensures, renewals and other services performed pursuant to

1 P.L.1974, c.46 (C.45:1-3.1 et seq.).

2

3 14. (New section) a. The executive director of the board shall be
4 appointed by the director and shall serve at the director's pleasure.
5 The salary of the executive director shall be determined by the director
6 within the limits of available funds. The director shall be empowered
7 within the limits of available funds to hire any assistants as are
8 necessary to administer this act.

9 b. Each member of the board shall be reimbursed for actual
10 expenses reasonably incurred in the performance of the duties as a
11 member or on behalf of the board.

12 c. The board, through its executive director, may issue subpoenas
13 to compel the attendance of witnesses to testify before the board and
14 produce relevant books, records and papers before the board and may
15 administer oaths in taking testimony, in any matter pertaining to its
16 duties under the act, which subpoenas shall issue under the seal of the
17 board and shall be served in the same manner as subpoenas issued out
18 of the Superior Court. A person who refuses or neglects to obey the
19 command of any subpoena, or who, after hearing, refuses to be sworn
20 and testify, shall, in either event, be liable to a penalty.

21

22 15. (New section) a. A person may file a petition with the board
23 if he has cause to believe that a licensed clinical alcohol and drug
24 counselor or certified alcohol and drug counselor has violated any
25 statutes, regulations or the code of ethics.

26 b. The board may direct its executive director to conduct any
27 investigation that it deems necessary.

28 c. If the executive director of the board finds that there is not
29 sufficient evidence to establish the alleged violation, he shall notify the
30 board, petitioner and respondent and no further action shall be taken.
31 If the executive director of the board finds that there is sufficient
32 evidence, he shall designate a hearing panel which shall consist of
33 three members of the board for the purposes of conducting any hearing
34 regarding a complaint against a licensed clinical alcohol and drug
35 counselor or certified alcohol and drug counselor and shall report the
36 panel's recommendations to the board.

37 (1) The board shall issue a notice of the hearing. All parties shall
38 be afforded the opportunity to respond and present oral and written
39 evidence on the issue involved in the complaint.

40 (2) The hearing panel shall make a written report to the board, the
41 respondents and any other party deemed by the panel to be entitled to
42 a copy. The report shall include the recommendations of the panel, a
43 brief statement of findings of fact and reasons supporting the
44 recommendations.

45 d. The board shall issue its decision on the complaint.

46 e. The licensed clinical alcohol and drug counselor's or certified

1 alcohol and drug counselor's name shall be removed from the registry
2 if the license or certification is revoked by the board. If the counselor
3 is suspended by the board, notice of the suspension shall be recorded
4 in the registry during the time the suspension is in force.

5
6 16. (New section) In addition to the provisions of section 8 of
7 P.L.1978, c.73 (C.45:1-21), the board may refuse to grant a license or
8 certificate to, or may suspend, revoke, condition, limit, qualify or
9 restrict the license or certificate of, any individual who the board, after
10 a hearing, determines:

11 a. Is incompetent to practice under the provisions of this act, or is
12 found to engage in the practice of alcohol and drug counseling in a
13 manner harmful or dangerous to a client or to the public;

14 b. Was convicted by a court of competent jurisdiction of a crime
15 that the board determines is of a nature to render the convicted person
16 unfit to practice alcohol and drug counseling and the board shall
17 compile, maintain and publish a list of such crimes;

18 c. Obtained or attempted to obtain a license or certification, or
19 renewal thereof, by bribery or fraudulent representation;

20 d. Knowingly made a false statement on a form required by the
21 board for licensing or certification, or renewal thereof;

22 e. Practiced alcohol and drug counseling under a false or assumed
23 name or impersonation of a licensed clinical alcohol and drug
24 counselor or certified alcohol and drug counselor or permitted an
25 unlicensed or uncertified person to practice alcohol and drug
26 counseling in the name of a person licensed or certified pursuant to the
27 provisions of this act or to use his license or certificate for that
28 purpose;

29 f. Is impaired in the delivery of professional services because of
30 alcohol or drug abuse or because of a medical or psychiatric disability,
31 or has pleaded nolo contendere, non vult contendere or non vult to an
32 indictment, information or complaint alleging a violation of any federal
33 or State law relating to drug or alcohol use or possession or sale or
34 distribution of alcohol or drugs, or is convicted in any court for a
35 violation of such laws;

36 g. Was negligent or engaged in misconduct in the performance of
37 his professional duties as a licensed clinical or certified alcohol and
38 drug counselor;

39 h. Engaged in sexual misconduct with a patient or family member
40 of a patient;

41 i. Engaged in advertising in any manner, whether as an individual,
42 through a professional service corporation or through a third party on
43 behalf of a person licensed or certified pursuant to this act, the
44 practice of alcohol and drug counseling; provided, however, that the
45 following shall not be deemed to be advertising prohibited under this
46 act:

- 1 (1) Public information for educational purposes on the practice or
2 profession of alcohol and drug counseling;
- 3 (2) Publication of a brief announcement of the opening of an office
4 or the removal to a new location, containing the name, professional
5 degree, address, telephone number and office hours of the person
6 licensed or certified pursuant to the provisions of this act;
- 7 (3) A listing in an alphabetical telephone directory of the name of
8 a person licensed or certified pursuant to the provisions of this act,
9 together with his professional degree or the abbreviation therefor;
- 10 (4) A listing in a classified telephone directory with standard type
11 limited to the name, professional degree, office and home addresses
12 and telephone numbers, and office hours of a person licensed or
13 certified pursuant to the provisions of this act; and
- 14 (5) The use of small signs on the doors, windows and walls of a
15 licensee's or certified person's office or the building in which he
16 maintains an office setting out his name, professional degree, address
17 and office hours in lettering no larger than four inches in height for
18 street-level offices and no larger than six inches in height for offices
19 above street-level;
- 20 j. Failed to obtain the continuing education credits required by the
21 board; or
- 22 k. Violated any of the provisions of this act or any rule, regulation
23 or code of ethics subscribed to by the board.
- 24
- 25 17. (New section) The director shall set and adjust license and
26 certification fees for alcohol and drug counselors so that the total fees
27 collected will as closely as possible equal anticipated expenditures
28 during the fiscal year. All expenditures deemed necessary to carry out
29 the provisions of this act shall be paid by the State Treasurer from the
30 license and certification fees and other sources of income of the board,
31 but in no event shall expenditures exceed the revenues of the board
32 during any fiscal year.
- 33
- 34 18. (New section) a. On or before the 730th day following the
35 effective date of this act, any person certified in New Jersey by the
36 Alcohol and Drug Counselor Certification Board of New Jersey as an
37 alcoholism counselor on the effective date of this act who
38 demonstrates to the board that he has successfully completed 30
39 classroom hours in drug education may acquire a certificate as a
40 certified alcohol and drug counselor without meeting the requirements
41 set forth in section 5 of this act.
- 42 b. On or before the 730th day following the effective date of this
43 act, any person certified in New Jersey by the Alcohol and Drug
44 Counselor Certification Board of New Jersey as a drug counselor on
45 the effective date of this act who demonstrates to the board that he has
46 successfully completed 50 classroom hours in alcohol education may

1 acquire a certificate as a certified alcohol and drug counselor without
2 meeting the requirements set forth in section 5 of this act.

3

4 19. Section 1 of P.L.1971, c.60 (C.45:1-2.1) is amended to read as
5 follows:

6 1. The provisions of this act shall apply to the following boards and
7 commissions: the New Jersey State Board of Accountancy, the New
8 Jersey State Board of Architects, the New Jersey State Board of
9 Cosmetology and Hairstyling, the Board of Examiners of Electrical
10 Contractors, the New Jersey State Board of Dentistry, the State Board
11 of Mortuary Science of New Jersey, the State Board of Professional
12 Engineers and Land Surveyors, the State Board of Marriage and
13 Family Therapy Examiners, the State Board of Medical Examiners, the
14 New Jersey Board of Nursing, the New Jersey State Board of
15 Optometrists, the State Board of Examiners of Ophthalmic Dispensers
16 and Ophthalmic Technicians, the Board of Pharmacy, the State Board
17 of Professional Planners, the State Board of Psychological Examiners,
18 the State Board of Examiners of Master Plumbers, the New Jersey
19 Real Estate Commission, the State Board of Shorthand Reporting, the
20 State Board of Veterinary Medical Examiners, the Radiologic
21 Technology Board of Examiners, the Acupuncture Examining Board,
22 the State Board of Chiropractic Examiners, the State Board of
23 Respiratory Care, the Real Estate Appraiser Board, the State Board of
24 Social Work Examiners, [and] the State Board of Public Movers and
25 Warehousemen and the State Board of Alcohol and Drug Counselor
26 Examiners.

27 (cf: P.L.1995, c.366, s.20)

28

29 20. Section 2 of P.L.1971, c.60 (C.45:1-2.2) is amended to read as
30 follows:

31 2. a. All members of the several professional boards and
32 commissions shall be appointed by the Governor in the manner
33 prescribed by law; except in appointing members other than those
34 appointed pursuant to subsection b. or subsection c., the Governor
35 shall give due consideration to, but shall not be bound by,
36 recommendations submitted by the appropriate professional
37 organizations of this State.

38 b. In addition to the membership otherwise prescribed by law, the
39 Governor shall appoint in the same manner as presently prescribed by
40 law for the appointment of members, two additional members to
41 represent the interests of the public, to be known as public members,
42 to each of the following boards and commissions: the New Jersey
43 State Board of Accountancy, the New Jersey State Board of
44 Architects, the New Jersey State Board of Cosmetology and
45 Hairstyling, the New Jersey State Board of Dentistry, the State Board
46 of Mortuary Science of New Jersey, the State Board of Professional

1 Engineers and Land Surveyors, the State Board of Medical Examiners,
2 the New Jersey Board of Nursing, the New Jersey State Board of
3 Optometrists, the State Board of Examiners of Ophthalmic Dispensers
4 and Ophthalmic Technicians, the Board of Pharmacy, the State Board
5 of Professional Planners, the State Board of Psychological Examiners,
6 the New Jersey Real Estate Commission, the State Board of Shorthand
7 Reporting, the State Board of Social Work Examiners, [and] the State
8 Board of Veterinary Medical Examiners, and the State Board of
9 Alcohol and Drug Counselor Examiners, and one additional public
10 member to each of the following boards: the Board of Examiners of
11 Electrical Contractors, the State Board of Marriage and Family
12 Therapy Examiners, the State Board of Examiners of Master
13 Plumbers, and the State Real Estate Appraiser Board. Each public
14 member shall be appointed for the term prescribed for the other
15 members of the board or commission and until the appointment of his
16 successor. Vacancies shall be filled for the unexpired term only. The
17 Governor may remove any such public member after hearing, for
18 misconduct, incompetency, neglect of duty or for any other sufficient
19 cause.

20 No public member appointed pursuant to this section shall have any
21 association or relationship with the profession or a member thereof
22 regulated by the board of which he is a member, where such
23 association or relationship would prevent such public member from
24 representing the interest of the public. Such a relationship includes
25 a relationship with members of one's immediate family; and such
26 association includes membership in the profession regulated by the
27 board. To receive services rendered in a customary client relationship
28 will not preclude a prospective public member from appointment. This
29 paragraph shall not apply to individuals who are public members of
30 boards on the effective date of this act.

31 It shall be the responsibility of the Attorney General to insure that
32 no person with the aforementioned association or relationship or any
33 other questionable or potential conflict of interest shall be appointed
34 to serve as a public member of any board regulated by this section.

35 Where a board is required to examine the academic and professional
36 credentials of an applicant for licensure or to test such applicant
37 orally, no public member appointed pursuant to this section shall
38 participate in such examination process; provided, however, that
39 public members shall be given notice of and may be present at all such
40 examination processes and deliberations concerning the results thereof,
41 and, provided further, that public members may participate in the
42 development and establishment of the procedures and criteria for such
43 examination processes.

44 c. The Governor shall designate a department in the Executive
45 Branch of the State Government which is closely related to the
46 profession or occupation regulated by each of the boards or

1 commissions designated in section 1 of P.L.1971 c.60 (C.45:1-2.1)
2 and shall appoint the head of such department, or the holder of a
3 designated office or position in such department, to serve without
4 compensation at the pleasure of the Governor as a member of such
5 board or commission.

6 d. A majority of the voting members of such boards or
7 commissions shall constitute a quorum thereof and no action of any
8 such board or commission shall be taken except upon the affirmative
9 vote of a majority of the members of the entire board or commission.
10 (cf: P.L.1995, c.336, s.21)

11

12 21. Section 1 of P.L.1974, c.46 (C.45:1-3.1) is amended to read as
13 follows:

14 1. The provisions of this act shall apply to the following boards and
15 commissions: the New Jersey State Board of Accountancy, the New
16 Jersey State Board of Architects, the New Jersey State Board of
17 Cosmetology and Hairstyling, the Board of Examiners of Electrical
18 Contractors, the New Jersey State Board of Dentistry, the State Board
19 of Mortuary Science of New Jersey, the State Board of Professional
20 Engineers and Land Surveyors, the State Board of Marriage and
21 Family Therapy Examiners, the State Board of Medical Examiners, the
22 New Jersey Board of Nursing, the New Jersey State Board of
23 Optometrists, the State Board of Examiners of Ophthalmic Dispensers
24 and Ophthalmic Technicians, the Board of Pharmacy, the State Board
25 of Professional Planners, the State Board of Psychological Examiners,
26 the State Board of Examiners of Master Plumbers, the State Board of
27 Shorthand Reporting, the State Board of Veterinary Medical
28 Examiners, the Radiologic Technology Board of Examiners, the
29 Acupuncture Examining Board, the State Board of Chiropractic
30 Examiners, the State Board of Respiratory Care, the State Real Estate
31 Appraiser Board, [and] the State Board of Social Work Examiners ,
32 and the State Board of Alcohol and Drug Counselor Examiners.
33 (cf: P.L.1995, c.336, s.22)

34

35 22. Section 2 of P.L.1978, c.73 (C.45:1-15) is amended to read as
36 follows:

37 2. The provisions of this act shall apply to the following boards and
38 all professions or occupations regulated by or through such boards:
39 the New Jersey State Board of Accountancy, the New Jersey State
40 Board of Architects, the New Jersey State Board of Cosmetology and
41 Hairstyling, the Board of Examiners of Electrical Contractors, the
42 New Jersey State Board of Dentistry, the State Board of Mortuary
43 Science of New Jersey, the State Board of Professional Engineers and
44 Land Surveyors, the State Board of Marriage and Family Therapy
45 Examiners, the State Board of Medical Examiners, the New Jersey
46 Board of Nursing, the New Jersey State Board of Optometrists, the

1 State Board of Examiners of Ophthalmic Dispensers and Ophthalmic
2 Technicians, the Board of Pharmacy, the State Board of Professional
3 Planners, the State Board of Psychological Examiners, the State Board
4 of Examiners of Master Plumbers, the State Board of Shorthand
5 Reporting, the State Board of Veterinary Medical Examiners, the
6 Acupuncture Examining Board, the State Board of Chiropractic
7 Examiners, the State Board of Respiratory Care, the State Real Estate
8 Appraiser Board, [and] , the State Board of Social Work Examiners
9 and the State Board of Alcohol and Drug Counselor Examiners.

10 (cf: P.L.1995, c.336, s.23)

11

12 23. There is appropriated from the General Fund to the Division of
13 Consumer Affairs in the Department of Law and Public Safety \$95,000
14 for the use of the board to implement and effectuate the provisions of
15 this act.

16

17 24. This act shall take effect immediately except that subsections
18 a. and b. of section 7 of this act shall take effect on the 730th day
19 following enactment.

20

21

22

23

24 Establishes the "Alcohol and Drug Counselor Licensing and
25 Certification Act," appropriates \$95,000.