

DEPARTMENT OF REGULATORY AGENCIES

Office of Addiction Counselor Program

4 CCR 744-1

AUTHORITY

The authority for the promulgation and adoption of these rules and regulations by the Director of the Division of Registrations is set forth in §12-43-803(2), C.R.S.

PURPOSE AND SCOPE

These rules inform the public in general and those desiring Colorado certification or licensure as addiction counselors in particular of the following, among other things: Continuing Professional Competence Requirements. These rules include certification or licensure reinstatement, reactivation and renewal.

The rules affect every person seeking Colorado certification or licensure as an addiction counselor, as defined in §12-43-201(1.5) and (3.5), C.R.S. and §12-43-801(1) and (3).

RULE 1

RENEWAL OF LICENSE (CRS 12-43-204(3))

- (a) Failure to Receive Renewal Notice. Failure to receive notice for renewal of a license or certificate from the Director of the Division of Registrations does not excuse a certified or licensed addiction counselor from the requirement for renewal under the Act and this Rule.
- (b) Grace period. Certified and licensed addiction counselors shall have a sixty-day grace period after the expiration of ~~their~~ his or her license or certificate to renew such license or certificate without the imposition of a disciplinary sanction for practicing on an expired license or certificate. During this grace period a delinquency fee will be charged for late renewals. A certified or licensed addiction counselor who does not renew ~~their~~ his or her license or certificate within the sixty-day grace period shall be treated as having an expired license or certificate and shall be ineligible to practice until such a license or certificate is reinstated.
- (c) Continuing Professional Competence. Pursuant to §12-43-805, C.R.S., and Director Rule 3, effective January 1, 2011, Licensed Addiction Counselors and Certified Addiction Counselors Levels II and III shall demonstrate continuing professional competence in order to renew.

RULE 2

REINSTATEMENT OF AN EXPIRED LICENSE OR CERTIFICATE (CRS 12-43-204)

- (a) General. A license or certificate that has expired is subject to the following reinstatement provisions.
- (b) Application requirements. To be considered for license or certificate reinstatement, an applicant must submit a completed reinstatement application form and the reinstatement fee.
- (c) Required statements.

- (1) Each applicant for reinstatement shall certify the following:
 - (A) Every license, certificate, or registration to practice addiction counseling held by the applicant is in good standing;
 - (B) Applicant knows has no knowledge of no any injunction or disciplinary action completed or pending against their his or her license, certificate, registration, or listing to practice addiction counseling or psychotherapy;
 - (C) Applicant knows has no knowledge of no any malpractice judgment against them, knows him or her, has no knowledge of no any settlement of a malpractice action or claim against them him or her, and knows has no knowledge of no any malpractice action or claim pending against them him or her where the malpractice alleged relates to their his or her practice of addiction counseling or psychotherapy.
 - (D) Applicant has no knowledge of any inquiry/complaint pending, investigation being conducted by, or disciplinary proceeding pending before the licensing, grievance, or disciplinary board of any jurisdiction in which s/he he or she is licensed, certified, registered, or listed to practice addiction counseling or psychotherapy where the complaint, investigation, or proceeding concerns their his or her practice of addiction counseling or psychotherapy.
 - (2) The Director of the Division of Registrations may not decline to issue a license or certificate to an applicant for reinstatement if disciplinary action is pending or if there is an unresolved complaint.
- (d) Continuing Professional Competence. Pursuant to §12-43-805, C.R.S., effective January 1, 2011, Licensed Addiction Counselors and Certified Addiction Counselors Levels II and III shall demonstrate continuing professional competence in order to reinstate.
- (1) An applicant for reinstatement must comply with all Continuing Professional Development requirements pursuant to Director Rule 3 having completed forty (40) Professional Development Hours within the two (2) years immediately preceding the application receipt date.
- (e) Licenses or certificatesAdditional criteria for license or certificate expired more than two (2) years criteria. The Director of the Division of Registrations has established the following criteria for determining whether an applicant for reinstatement has demonstrated their competency to practice as required by §24-34-102(8)(d)(II), C.R.S.
- (1) An applicant whose license or certificate has been expired more than two (2) years shall pass a Director of the Division of Registrations approved jurisprudence examination and either:
 - (A) A written statement detailing work experience related to the practice of addiction counseling or psychotherapy during the time the license or certificate has been expired. If work experience was in another jurisdiction(s), verification of licensure or certification from each jurisdiction(s) is required; or
 - (B) Retaking and passing the appropriate examination which covers the general areas of knowledge in addiction counseling which shall be approved by the Director of the Division of Registrations. Addiction Counselor reinstatement applicants shall take the appropriate examination required for the level of licensure or certification sought; or

- (C) Completion of ~~required training which must be taken and passed within the past two (2) years prior to the application received date; or~~
- ~~(D)~~ Completion of an additional ten (10) Professional Development Hours as defined in Director Rule 3 for each year or portion thereof the license or certificate has been expired; or
- ~~(E)~~(D) Other means determined by the Director of the Division of Registrations.

RULE 3

CONTINUING PROFESSIONAL COMPETENCE (CRS 12-43-805)

Pursuant to §12-43-805, C.R.S., effective January 1, 2011, Licensed Addiction Counselors and Certified Addiction Counselors Levels II and III shall demonstrate continuing professional competence through participation and compliance with the Continuing Professional Development program in order to renew, reinstate or reactivate a license to practice Addiction Counseling in the State of Colorado.

(a) Definitions.

Continuing Professional Competence: Continuing Professional Competence (CPC) means the ongoing ability of a Licensed Addiction Counselors and Certified Addiction Counselors Levels II and III to learn, integrate and apply the knowledge, skill, and judgment to practice according to generally accepted industry standards and professional ethical standards in a designated role and setting.

Continuing Professional Development: Continuing Professional Development (CPD) is the program through which a Licensed Addiction Counselors and Certified Addiction Counselors Levels II and III satisfies the Continuing Professional Competence requirements set forth in §12-43-805, C.R.S. to renew, reinstate or reactivate a license.

Continuing Professional Development Portfolio: The Continuing Professional Development Portfolio (CPD Portfolio) is an instructional guide and workbook for the CPD program.

Professional Development Hours: Professional Development Hours (PDH) are the units of measurement of active learning used to accrue credit in the CPD program. PDH are equivalent to clock hours.

Professional Development Activities: Professional Development Activities (PDA) are Director of the Division of Registrations approved learning activities undertaken for the purpose of continuing professional development.

Professional Practice Survey: The Professional Practice Survey ("Survey") is a reflective practice tool that identifies the foundational knowledge areas of the profession by one's professional role.

Personal Learning Plan: The Personal Learning Plan ("Learning Plan") is a document used to plan and record learning for each cycle in the CPD program.

(b) Requirements.

- (1) Licensed Addiction Counselors and Certified Addiction Counselors Levels II and III shall demonstrate continuing professional competence through participation and compliance with the Continuing Professional Development program in order to renew, reinstate or reactivate a license to practice addiction counseling in the State of Colorado.

- (2) Licensed Addiction Counselors and Certified Addiction Counselors Levels II and III must complete the following requirements in accordance with the current CPD Portfolio:
 - (A) Professional Practice Survey
 - (B) Learning Plan
 - (C) Documentation of their PDA and PDH.
- (c) Professional Practice Survey. The Professional Practice Survey should be completed prior to renewing, reinstating or reactivating a license.
- (d) Learning Plan. Certified and licensed addiction counselors shall draft a Personal Learning Plan based upon the Professional Practice Survey. The Learning Plan shall consist of PDA ~~approved by the Director of the Division of Registrations~~ as set forth in Director Rule 3(f). Licensees shall execute their Learning Plan by completing all PDAs and PDHs before the date upon which they renew their license. Changes to the Learning Plan shall not be allowed after renewing, reinstating or reactivating a license.
- (e) Professional Development Hours. Certified and licensed addiction counselors shall complete forty (40) PDH each renewal cycle in order to renew their license or certification.
 - (1) Certified and licensed addiction counselors shall document their completion of their PDAs and PDHs according to the guidelines set forth in the current CPD Portfolio. Certified and licensed addiction counselors should be prepared to submit documentation of their CPD compliance upon request by the Director of the Division of Registrations.
 - (2) No more than twenty (20) PDH in a single Professional Development Activity shall be credited and recognized each renewal cycle.
 - (3) Certified and licensed addiction counselors receiving an original, reinstated or reactivated certificate or license during the renewal cycle must accrue one point sixty six (1.66) PDH for each month or portion thereof they are certified or licensed during the current renewal cycle.
 - (4) A maximum of five (5) PDH may be carried from the last renewal cycle to the next renewal cycle if the PDH were earned within six (6) months of license expiration and are in excess of the forty (40) PDH required for the current renewal cycle.
 - (5) Certified and licensed addiction counselors shall retain documentation of their CPD compliance for a minimum of five (5) years from the certificate or license expiration date for the renewal cycle during which PDH were accrued.
- (f) Professional Development Activities. To qualify for PDH credit, certified and licensed addiction counselors must select PDAs that ~~have been approved~~ are allowed by the Director of the Division of Registrations.
 - (1) The Director of the Division of Registrations ~~approves~~ allows the following PDAs:
 - (A) Volunteer Service
 - (B) Mentoring
 - (C) Presenting

- (D) Supervision
- (E) Coursework
- (F) Independent and Group Learning

- (2) Professional Development Activities ~~should~~ develop your professional skill and must be directly relevant to the certified or licensed addiction counselor's competence in the Behavioral Health field. Professional Development Hours cannot be accrued for activities that fulfill duties for one's primary role or job description.
- (3) It is within the discretion of the Director of the Division of Registrations to deny credit for any PDH that does not meet the criteria set forth in the current CPD Portfolio or the definition of Continuing Professional Competence contained in §12-43-805(3), C.R.S.
- (4) Unacceptable Professional Development Activities. The following types of activities are ineligible for credit: ~~servicing~~ Servicing on a federal, state or municipal board or commission.

(g) Deem Status.

- (1) To be eligible for Deem Status pursuant to §12-43-805(1)(C), C.R.S., a State Department CPC program must satisfy the definition of Continuing Professional Competence pursuant to §12-43-805(3), C.R.S. Employees and contractors of qualifying programs in State Departments shall be deemed to have met the CPC requirements.
- (2) Certified and licensed addiction counselors deemed to have met the CPC requirements are subject to an audit. The audit shall review the program for which the certified or licensed addiction counselor has justified their Deem Status to ~~see~~ ensure that it meets the definition of CPC outlined in §12-43-805(3), C.R.S and shall verify the certified or licensed addiction counselor's successful completion of the program.
- (3) Certified or licensed addiction counselors found to have falsified their Deem Status or who attested their fulfillment of CPC requirements for an unqualified State Department program, are subject to discipline by the Director of the Division of Registrations.

(h) Exemptions.

- (1) Military Service. The Director of the Division of Registrations may grant exemptions from the CPD program requirements for reasons of military service. A certified or licensed addiction counselor shall not be eligible for an exemption under this section for two (2) consecutive renewal periods. In the event a certified or licensed addiction counselor cannot complete the CPD requirements following an exemption, the certified or licensed addiction counselor's certificate or license will remain expired until they are able to meet all CPD requirements. Request for exemptions must be submitted in writing and provide evidence that the certified or licensed addiction counselor was absent from Colorado because of military service for a period of one (1) year or longer during the renewal period, preventing completion of the CPD requirements.
- (2) Dual Licensure. The Director of the Division of Registrations may grant an exemption from the CPD requirement if the addiction counselor has fulfilled the CPD requirements set forth in: §12-43-411, C.R.S.; §12-43-~~605~~06, C.R.S.; or §12-43-~~506~~05, C.R.S.

RULE 4

INACTIVE LICENSE STATUS AND REACTIVATION OF LICENSE

- (a) Inactive status. Pursuant to §12-70-101, C.R.S., any certified or licensed addiction counselor may apply to the Director of the Division of Registrations to be transferred to an inactive status. Such application shall be in the form and manner designated by the Director of the Division of Registrations. The holder of an inactive certificate or license shall not be required to comply with the continuing competency requirements for renewal so long as ~~they remain~~he or she remains inactive.
- (1) During such time as a certified or licensed addiction counselor remains in an inactive status, ~~they~~he or she shall not perform those acts restricted to active certified or licensed addiction counselors pursuant to §12-43-802, C.R.S. The Director of the Division of Registrations shall retain jurisdiction over inactive certified or licensed addiction counselor for the purposes of disciplinary action pursuant to §12-43-221(1)(d), C.R.S.
- (2) Practicing with an inactive certificate or license shall constitute uncertified or unlicensed practice and, therefore, may be grounds for disciplinary or injunctive action, up to and including revocation.
- (b) Reactivation requirements. To be considered for certificate or license reactivation, an applicant must submit a completed reactivation application and the reactivation fee.
- (c) Required statements.
- (1) Each applicant for reactivation shall certify the following:
- (A) Every license, certificate, or registration to practice addiction counseling held by the applicant is in good standing;
- (B) Applicant ~~knows has no knowledge of no any~~ injunction or disciplinary action completed or pending against ~~their~~his or her license, certificate, registration, or listing to practice psychotherapy or addiction counseling;
- (C) Applicant ~~knows has no knowledge of no any~~ malpractice judgment against ~~them~~him or her, ~~knows has no knowledge of no any~~ settlement of a malpractice action or claim against ~~them~~him or her, and ~~knows has no knowledge of no any~~ malpractice action or claim pending against ~~them~~him or her, where the malpractice alleged relates to ~~their~~his or her practice of psychotherapy or addiction counseling;
- (D) Applicant has no knowledge of any inquiry/complaint pending, investigation being conducted by, or disciplinary proceeding pending before the licensing, grievance, or disciplinary board of any jurisdiction in which ~~they are~~he or she is licensed, certified, registered, or listed to practice addiction counseling or psychotherapy where the complaint, investigation, or proceeding concerns ~~their~~his or her practice of addiction counseling or psychotherapy.
- (2) The Director of the Division of Registrations may ~~not decline to~~ issue a certificate or license to an applicant for reactivation if disciplinary action is pending or if there is an unresolved complaint.
- (d) Continuing Professional Competence. Pursuant to §12-43-805, C.R.S., effective January 1, 2011, Licensed Addiction Counselors and Certified Addiction Counselors Levels II and III shall demonstrate continuing professional competence in order to reactivate.

(1) An applicant for reactivation must comply with all Continuing Professional Development reactivation requirements pursuant to Director Rule 3 ~~having completed forty (40) Professional Development Hours~~ within the two (2) years immediately preceding the application receipt date.

(e) ~~Certificates~~ Additional criteria for a certificate or a licenses inactive more than two (2) years. The Director of the Division of Registrations has established the following criteria for determining whether an applicant for reactivation has demonstrated competency to practice as required by §12-43-204(3), C.R.S.

(1) An applicant whose certificate or license has been inactive more than two (2) years shall pass a Director of the Division of Registrations approved jurisprudence examination and either:

(A) A written statement detailing work experience related to the practice of addiction counseling or psychotherapy during the time the license or certificate has been inactive. If work experience was in ~~an~~ other jurisdiction(s), verification of licensure or certification from each jurisdiction(s) is required; or

(B) Retaking and passing the appropriate examination which covers the general areas of knowledge in addiction counseling which shall be approved by the Director of the Division of Registrations. Addiction Counselor reactivation applicants shall take the appropriate examination required for the level of licensure or certification sought; or

(C) Completion of ~~required training which must be taken and passed within the past two (2) years prior to the application received date; or~~

~~(D)~~ Completion of an additional ten (10) Professional Development Hours as defined in Director Rule 3 for each year or portion thereof the certificate or license has been inactive; or

~~(E)~~ (D) Other means determined by the Director of the Division of Registrations.