

# Regulatory Reforms Responsive to the SUD Workforce Crisis: Licensed Alcohol & Drug Counselors

In response to Executive Order No. 02-17 and the Governor's call to review existing State mental health and drug and alcohol addiction laws and regulations, the Office of Professional Regulation has completed a strike-and-rewrite replacement of its administrative rules for Apprentice Addiction Professionals (AAPs), Alcohol & Drug Counselors (ADCs), and Licensed Alcohol and Drug Counselors (LADCs). These rules will be filed with the Legislative Committee on Administrative Rules for emergency adoption, cutting the adoption timeline from almost ten months to a matter of days.

The challenge in this case is to maintain high, statutory standards of competence while eliminating unnecessary barriers to entry arising from idiosyncratic degree requirements and excessively prescriptive educational mandates. This is accomplished by carefully defining core competencies for the top-level credential: a master's or greater, 270 hours of SUD-specific training, 2,000 hours of supervised clinical practice, examination, and continuing education—and allowing applicants from diverse educational and professional backgrounds to progress toward that credential by showing the required qualifications through appropriate proxies, such as documented time as an SUD treatment provider in a similar context, or under cover of a different license, or in a foreign jurisdiction. We also identified a training bottleneck at supervision. We responded by opening eligibility to act as a clinical supervisor to the full range of professionals qualified to provide addiction-related psychotherapy.

## Continuity

- ❖ AAPs were limited to two renewals, effectively removing from the workforce any who lacked the means or the time to progress, as well as those who liked working in their current roles. The emergency rules allow AAPs to remain so indefinitely, if matriculated in SUD-related training.

## Consistency

- ❖ ADCs and LADCs were required to demonstrate 300 hours of SUD-specific education, requiring many applicants qualified in other states to return to educational programs for additional training before serving Vermonters. The emergency rules conform to the national standard, 270 hours, facilitating reciprocal recognition and practitioner mobility.

## Efficiency

- ❖ AAPs and ADCs are now deemed to be on the roster of non-licensed, non-certified psychotherapists. This halves the fees and paperwork required to remain credentialed.
- ❖ An independent clinical social worker, psychologist, marriage and family therapist, or clinical mental health counselor, licensed and in good standing in Vermont or a foreign jurisdiction, with at least one year of full-time addiction counseling experience and the core SUD competencies, may now test directly into a Vermont LADC license.
- ❖ Clear, structured supervision paperwork is to be provided by the Office, relieving the burden on clinical supervisors to document rule compliance, and relieving the burden on LADC advisors when reviewing applications.
- ❖ Thirty pages of administrative regulations have been trimmed to ten pages.

## Degrees

- ❖ 48-credit-hour MS degrees were denied recognition in favor of 60-hour MS degrees. The emergency rules open the field to those with 48-credit-hour degrees if they complete appropriate supplemental training, salvaging the significant value in the earned degree.

## Core Competencies

- ❖ Idiosyncratic SUD competencies set out seventeen subcategories of mandatory education, each with a required hourly minimum not necessarily enforced by any other state. Few people, no matter how qualified, met these without undertaking additional education, often in topics irrelevant to their practice contexts.
- ❖ The emergency rules harmonize SUD-competency requirements, embracing New Hampshire's model of defining four public-health-critical competencies that must be demonstrated by all applicants, then allowing applicants to determine their own training ratios within other recognized categories.
- ❖ Applicants who specialized in counseling psychology at the baccalaureate level were not advantaged under the old rules by comparison to applicants who studied accounting. The emergency rules allow applicants to demonstrate SUD-specific counseling training earned throughout their academic careers.
- ❖ U.S. Service Members are afforded recognition of relevant military training, pursuant to 3 V.S.A. § 123(g).

## Supervision

- ❖ Clinical supervision presented a devastating bottleneck for applicants, who could be supervised only by LADCs with multiple years of experience.
  - The emergency rules capitalize on the deep experience of licensed independent clinical social workers, licensed clinical mental health counselors, board-certified physicians, psychologists, and licensed marriage and family therapists. Practitioners licensed in these fields, who demonstrate SUD core competencies and one year of SUD-counseling experience, may now serve as supervisors, and upon successful examination, may cross-qualify for the LADC license themselves.
  - The emergency rules recognize a much broader range of qualifying supervision, at a direct-supervision ratio of 1:40, rather than 1:20, allowing provider agencies the flexibility to meet real-world demands, and allowing the state's most experienced practitioners to spend more time with patients, and less time signing supervision forms.
  - Group supervision of as many as six unlicensed persons is permitted, as is supervision by videoconference.
  - Applicants may have multiple supervisors and may interrupt clinical supervision, for example, for pregnancy, illness, or military service, without losing supervision credit.
  - LADCs or LADC equivalents with five years' full-time addiction-counseling practice in a foreign jurisdiction are presumed to have satisfied the supervised-clinical-practice hours required in Vermont, knocking down a major barrier to efficient interstate reciprocity and mobility.

## Continuing Education

- ❖ A complex and prescriptive continuing-education regime is replaced with a relevance test.
- ❖ Addiction Technology Transfer Center Network (ATTC) and National Association for Alcoholism and Drug Abuse Counselors (NAADAC) programs are presumptively approved, eliminating unnecessary approval paperwork.
- ❖ Designated agencies may provide as much as 30 of the 40 biennial continuing-education hours required of licensees, encouraging in-service training and allowing licensees to maintain their credentials at lower cost. As a condition of recognition, agency continuing-education training is opened to private practitioners and others, and agencies may charge reasonable fees to recover costs.