

## LEGISLATIVE COUNSEL'S DIGEST

Bill No.

as introduced, \_\_\_\_\_.

General Subject: Addiction treatment.

Existing law grants the Department of Health Care Services the sole authority to determine the qualifications of persons working in alcoholism or drug abuse recovery and treatment programs, as specified. Under existing law, the department approves organizations to certify alcohol and other drug counselors.

This bill would require organizations approved by the department to develop a career ladder for alcohol and drug counseling professionals that defines minimum standards for education and experience for each certification level included in the career ladder, and to submit that ladder to the department by January 1, 2019.

Existing law creates the Licensed Mental Health Service Provider Education Program, to be run by the Health Professions Education Foundation, to provide grants to help pay for education costs of licensed mental health service providers. Existing



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law provides for funding for these grants from the Mental Health Practitioner Education Fund, as specified.

This bill would expand the program to include alcohol and drug counselor education programs for substance use disorder counselors and substance use disorder technicians, as specified. The bill would rename the program the Behavioral Health Service Provider Education Program, and rename the Mental Health Practitioner Education Fund the Behavioral Health Practitioner Education Fund. The bill would additionally require that, upon appropriation by the Legislature, the Behavioral Health Practitioner Education Fund will provide reimbursement for testing and certification fees for alcohol-drug counselors until the number of certified alcohol-drug counselors is 150% of the number of certified alcohol-drug counselors on July 31, 2017, or a period not to exceed 10 years, whichever is first.

Vote: majority. Appropriation: no. Fiscal committee: yes. State-mandated local program: no.



An act to amend Sections 128454, 128456, and 128458 of, to amend the heading of Article 3.5 (commencing with Section 128454) of Chapter 5 of Part 3 of Division 107 of, and to add Sections 11832.2 and 128457 to, the Health and Safety Code, relating to addiction treatment.



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THE PEOPLE OF THE STATE OF CALIFORNIA DO ENACT AS FOLLOWS:

SECTION 1. (a) The Legislature finds and declares all of the following:

(1) Approximately one of every four substance-abuse clinicians chooses to leave his or her job in the United States every year.

(2) There are an estimated 3.5 million persons with diagnosable substance use disorders in California, and there are fewer than 20,000 alcoholism and drug abuse counselors of an unknown competency level currently certified by private credentialing bodies in California.

(3) California employers have fewer substance use disorder counselors per population than the national average.

(4) California addiction treatment providers list inability to recruit and retain counselors as one of the top three issues impacting capacity expansion.

(5) The Bureau of Labor Statistics reports that addiction counselors earn an average of about \$40,000 a year, which, coupled with stressful workloads in a profession that involves treating a life-threatening disease, can have an effect on many counselors.

(b) Therefore, it is the intent of the Legislature to enact legislation to make California the first state in the nation to implement "treatment on demand" for addiction by establishing a comprehensive workforce development plan to increase capacity for treating addiction by establishing the following:

(1) Student loan repayment for alcohol-drug counselors.

(2) Certification and testing fee waivers.

(3) No-cost tuition for college and schools that offer courses to become licensed addiction counselors.



(4) An information campaign to draw interest in the profession.

SEC. 2. Section 11832.2 is added to the Health and Safety Code, to read:

11832.2. Organizations approved by the State Department of Health Care Services to certify alcohol and other drug counselors pursuant to Section 11833 shall collectively develop a single, uniform career ladder for alcohol and drug counseling professionals that defines minimum standards for education and experience for each certification level included in the career ladder and shall submit the career ladder to the department by January 1, 2019. The career ladder shall encompass the full spectrum of counselor qualifications, from entry level to advanced practice. Any future revision of the minimum standards shall be implemented by all certifying organizations approved by the state.

SEC. 3. The heading of Article 3.5 (commencing with Section 128454) of Chapter 5 of Part 3 of Division 107 of the Health and Safety Code is amended to read:

Article 3.5. ~~Licensed Mental~~ Behavioral Health Service Provider Education Program

SEC. 4. Section 128454 of the Health and Safety Code is amended to read:

128454. (a) There is hereby created the ~~Licensed Mental~~ Behavioral Health Service Provider Education Program within the Health Professions Education Foundation.

(b) For purposes of this article, the following definitions shall apply:

(1) ~~“Licensed mental”~~ “Behavioral health service provider” means a psychologist licensed by the Board of Psychology, registered psychologist, postdoctoral psychological



assistant, postdoctoral psychology trainee employed in an exempt setting pursuant to Section 2910 of the Business and Professions Code, or employed pursuant to a State Department of Health Care Services waiver pursuant to Section 5751.2 of the Welfare and Institutions Code, marriage and family therapist, marriage and family therapist intern, licensed clinical social worker, ~~and associate clinical social worker.~~ worker, substance use disorder counselor certified by an alcohol-drug counselor certifying organization approved pursuant to Section 11833, and substance use disorder technician registered by an alcohol-drug counselor certifying organization approved as required by Section 11833.

(2) ~~Mental~~ Behavioral health professional shortage area” means an area designated as such by the Health Resources and Services Administration (HRSA) of the United States Department of Health and Human Services.

(c) ~~Commencing January 1, 2005, any licensed mental~~ A behavioral health service provider, including a ~~mental~~ behavioral health service provider who is employed at a publicly funded ~~mental health~~ behavioral health or alcohol-drug treatment facility or a public or nonprofit private ~~mental health~~ behavioral health or alcohol-drug treatment facility that contracts with a county ~~mental health~~ behavioral health entity or facility to provide ~~mental health~~ behavioral health or substance use disorder services, who provides direct patient care in a publicly funded facility or a ~~mental~~ behavioral health professional shortage area may apply for grants under the program to reimburse his or her educational loans related to a career as a ~~licensed~~ behavioral mental health service provider.



(d) The Health Professions Education Foundation shall make recommendations to the director of the office concerning all of the following:

(1) A standard contractual agreement to be signed by the director and any ~~licensed~~ behavioral mental health service provider who is serving in a publicly funded facility or a ~~mental~~ behavioral health professional shortage area that would require the ~~licensed~~ behavioral mental health service provider who receives a grant under the program to work in the publicly funded facility or a ~~mental~~ behavioral health professional shortage area for at least one year.

(2) The maximum allowable total grant amount per individual ~~licensed~~ behavioral mental health service provider.

(3) The maximum allowable annual grant amount per individual ~~licensed~~ behavioral mental health service provider.

(e) The Health Professions Education Foundation shall develop the program, which shall comply with all of the following requirements:

(1) The total amount of grants under the program per individual ~~licensed~~ behavioral mental health service provider shall not exceed the amount of educational loans related to a career as a ~~licensed~~ behavioral mental health service provider incurred by that provider.

(2) The program shall keep the fees from the different licensed providers separate to ensure that all grants are funded by those fees collected from the corresponding licensed provider groups.

(3) A loan forgiveness grant may be provided in installments proportionate to the amount of the service obligation that has been completed.



(4) The number of persons who may be considered for the program shall be limited by the funds made available pursuant to Section 128458.

(f) Commencing January 1, 2018, a behavioral health service provider, including a behavioral health service provider who is employed at a publicly funded behavioral health or alcohol-drug treatment facility or a public or nonprofit private behavioral health or alcohol-drug treatment facility or a public or nonprofit private behavioral health or alcohol-drug treatment facility that contracts with a county behavioral health entity or facility to provide behavioral health or substance use disorder services, who provides direct patient care in a publicly funded facility or a behavioral health professional shortage area, may apply for grants to enroll in an alcohol-drug counselor education program provided by a school regulated by the Bureau for Private Postsecondary Education pursuant to Chapter 8 of Part 59 of Division 10 of Title 3 of the Education Code. Funds used for to provide grants pursuant to this subdivision shall not include licensing fees.

SEC. 5. Section 128456 of the Health and Safety Code is amended to read:

128456. In developing the program established pursuant to this article, the Health Professions Education Foundation shall solicit the advice of representatives of the Board of Behavioral Sciences, the Board of Psychology, the State Department of Health Care Services, the County Behavioral Health Directors Association of California, the California Mental Health Planning Council, professional-~~mental~~ behavioral health care organizations, professional alcohol-drug counselor certification organizations, the California Healthcare Association, the Chancellor of the California Community Colleges, and the Chancellor of the California State University. The foundation shall





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solicit the advice of representatives who reflect the demographic, cultural, and linguistic diversity of the state.

SEC. 6. Section 128457 is added to the Health and Safety Code, to read:

128457. Upon appropriation by the Legislature, the Behavioral Health Practitioner Education Fund shall provide reimbursement for testing and certification fees for alcohol-drug counselors until the number of certified alcohol-drug counselors is 150 percent of the number of certified alcohol-drug counselors on July 31, 2017, or a period not to exceed 10 years, whichever is first. Funds used for this purpose shall not include licensing fees.

SEC. 7. Section 128458 of the Health and Safety Code is amended to read:

128458. There is hereby established in the State Treasury the ~~Mental~~ Behavioral Health Practitioner Education Fund. The moneys in the fund, upon appropriation by the ~~Legislature, Legislature, and except as provided in subdivision (f) of Section 128454,~~ shall be available for expenditure by the Office of Statewide Health Planning and Development for purposes of this article.



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