

Stricken language would be deleted from and underlined language would be added to present law.
Act 1249 of the Regular Session

State of Arkansas
89th General Assembly
Regular Session, 2013

As Engrossed: H4/4/13
A Bill

SENATE BILL 736

By: Senator S. Flowers

By: Representatives *E. Armstrong, F. Smith, H. Wilkins, Love*

For An Act To Be Entitled

AN ACT TO AMEND ARKANSAS LAW CONCERNING THE POWERS
AND DUTIES OF THE STATE BOARD OF EXAMINERS OF
ALCOHOLISM AND DRUG ABUSE COUNSELORS; TO DECLARE AN
EMERGENCY; AND FOR OTHER PURPOSES.

Subtitle

TO AMEND ARKANSAS LAW CONCERNING THE
POWERS AND DUTIES OF THE STATE BOARD OF
EXAMINERS OF ALCOHOLISM AND DRUG ABUSE
COUNSELORS; AND TO DECLARE AN EMERGENCY.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:

SECTION 1. Arkansas Code § 17-27-406(c), concerning the powers and duties of the State Board of Examiners of Alcoholism and Drug Abuse Counselors, is amended to read as follows:

(c) The board may conduct hearings on charges calling for the denial, revocation, or suspension of a license or certification or issuance of a monetary fine, shall adopt rules for the conduct of the hearings, and shall cause the prosecution of all persons who violate any provisions of this subchapter or any rule ~~or regulation~~ promulgated pursuant to its provisions.

SECTION 2. Arkansas Code § 17-27-406(h), concerning the powers and duties of the State Board of Examiners of Alcoholism and Drug Abuse Counselors, is amended to read as follows:

(h)(1) The board shall set by ~~regulation~~ rule a fee schedule for



examination:

- (A) Applications for licensure;
- (B) Examinations;
- (C) Renewal of licensure;
- (D) Late fees;
- (E) Fines; and
- (F) Administrative costs.

(2) The fees shall be set at a level sufficient to cover the cost of ~~preparations, administration, and grading of the examination~~ supporting the duties of the board, hiring persons necessary to carry on the work of the board, and other functions necessary for the successful operation of the board.

SECTION 3. Arkansas Code § 17-27-408(a)(4), concerning licensure requirements for a licensed alcoholism and drug abuse counselor, is amended to read as follows:

(4) Has submitted an application on a form provided by the board and paid an application fee fixed by the board;

SECTION 4. Arkansas Code § 17-27-409(a)(4), concerning licensure requirements for an associate alcoholism and drug abuse counselor, is amended to read as follows:

(4) Has submitted an application on a form provided by the board and paid an application fee fixed by the board;

SECTION 5. Arkansas Code § 17-27-410(a)(4), concerning licensure requirements for a certified alcoholism and drug abuse technician, is amended to read as follows:

(4) Has submitted an application on a form provided by the board and paid an application fee fixed by the board;

SECTION 6. Arkansas Code § 17-27-414(b) and (c), concerning the authority of the State Board of Examiners of Alcoholism and Drug Abuse Counselors, are amended to read as follows:

(b)(1) The board may deny, revoke, or suspend any license, registration, or certificate upon proof that the person has willfully or

repeatedly violated any of the provisions of this subchapter or any rule ~~or~~ ~~regulation~~ promulgated by the board or upon proof that a person has practiced outside the scope of practice for which he or she is licensed or certified under this subchapter.

(2) The board may assess a monetary fine to a person licensed or certified under this subchapter in addition to or in lieu of the denial, revocation, or suspension of a license, registration or certificate under subdivision (b)(1) of this section.

(c) The board shall not suspend, revoke, or refuse to renew a license or certificate or assess a monetary fine, except after a hearing held before the board, upon notice to the person charged.

SECTION 7. EMERGENCY CLAUSE. It is found and determined by the General Assembly of the State of Arkansas that under § 25-15-105, the authority of the State Board of Examiners of Alcoholism and Drug Abuse Counselors to charge certain fees currently collected by the board will expire on July 1, 2013, and that this act is necessary to allow the board to continue to collect the revenues it currently receives and to allow the board to maintain its current level of operation. Therefore, an emergency is declared to exist, and this act being necessary for the preservation of the public peace, health, and safety shall become effective on July 1, 2013.

/s/S. Flowers

APPROVED: 04/16/2013