

SENATE STAFF ANALYSIS AND ECONOMIC IMPACT STATEMENT

(This document is based only on the provisions contained in the legislation as of the latest date listed below.)

Date: January 23, 1998 Revised: 03/18/98 _____

Subject: Substance Abuse Services

	<u>Analyst</u>	<u>Staff Director</u>	<u>Reference</u>	<u>Action</u>
1.	<u>Barnes</u>	<u>Whiddon</u>	<u>CF</u>	<u>Fav/1 amendment</u>
2.	<u>_____</u>	<u>_____</u>	<u>_____</u>	<u>_____</u>
3.	<u>_____</u>	<u>_____</u>	<u>_____</u>	<u>_____</u>
4.	<u>_____</u>	<u>_____</u>	<u>_____</u>	<u>_____</u>
5.	<u>_____</u>	<u>_____</u>	<u>_____</u>	<u>_____</u>

I. Summary:

SB 392 would no longer allow a person strictly with a master’s degree in a social or behavioral science in a human service discipline and 2 years of experience in the assessment and treatment of substance abuse to be a “qualified professional” as defined in the substance abuse treatment law unless that person is certified as a Certified Addiction Professional (CAP) by the Certification Board of Addiction Professionals of Florida.

This bill amends section 397.311(25), Florida Statutes.

II. Present Situation:

Chapter 397, F.S., contains provisions for substance abuse assessment and treatment services that include licensure of service providers, voluntary and involuntary procedures, and rights of clients.

Section 397.311(25), F.S., states that a “qualified professional” means a physician licensed under chapter 458, F.S., or chapter 459. F.S., a person who has an earned master’s degree in a social or behavioral science in a human services discipline with a minimum of 2 years experience in the assessment or treatment of substance abuse problems, or a person who is certified through a department-recognized certification process for substance abuse treatment services.

Qualified professionals are required under chapter 397, F.S., to perform functions such as:

- Authorizing the release of or the detainment of a client after an involuntary assessment as specified in s. 397.6822, F.S.;

Authorizing the early release of a client from involuntary substance abuse treatment as specified in s. 397.6971, F.S.; and

Completing the client assessment that is used by the court in the hearing on the petition for involuntary treatment in connection with protective custody, emergency admission, involuntary assessment, or alternative involuntary admission as specified in s. 397.6957, F.S.

Chapter 65D-16.003(7), Florida Administrative Code, specifies that a department-recognized certification process for substance abuse treatment services includes the Certified Addiction Professional (CAP) which is certified by the Certification Board of Addiction Professionals of Florida. Academic achievement for CAP certification is a bachelor's degree in any field, 6,000 hours of direct services work experience, 300 hours of direct supervision, 300 hours of education in counseling and addiction, passage of a national written examination, and passage of an oral examination. Prior to 1995, certification by the Certification Board of Addiction Professionals of Florida required only a two year degree and prior to 1990, no academic degree was required for certification and individuals certified under prior standards are not required to meet revised, higher certification standards.

III. Effect of Proposed Changes:

SB 392 amends s. 397.311(25), F.S., the definition of "qualified professional." A person with a master's degree in a social or behavioral science in a human services discipline with a minimum of 2 years experience in the assessment or treatment of substance abuse only would not qualify as a "qualified professional." A person with a master's degree and 2 years of experience in the substance abuse field would be a "qualified professional" only if he or she is certified as a Certified Addiction Professional (CAP) by the Certification Board of Addiction Professionals of Florida.

The Assistant Secretary for Substance Abuse in the Department of Children and Family Services states that there are problems that would result from this proposed legislation. Removing the master's requirement from the definition of "qualified professional" weakens the professional training and education requirements for persons who deliver assessment and treatment services for the substance abuse impaired. There is no evidence in the professional literature or in the practice of substance abuse assessment and treatment services in Florida or in other states to support the removal of master's degree persons from the group of qualified professionals.

Under SB 392, except for physicians licensed under chapter 458 or chapter 459, F.S., certification by the Certification Board of Addiction Professionals of Florida would be required of all clinicians and clinical supervisors who perform the responsibilities of a "qualified professional." The department reports that this bill would impact on both clinical and supervisory staff employed by licensed substance abuse providers. Supervising clinical services is one of the duties of qualified professionals. Under SB 392, many competent supervisors with a master's degree who are not certified would no longer be eligible to supervise clinical services. This would result in more clinical supervisors who are certified but have only a bachelor's degree or no academic degree. Many master's level clinical staff could be lost because clinicians are often reluctant to accept

clinical supervision from a person who has a bachelor's degree or no academic degree. There could be supervisors without any academic degree because prior to 1995, certification by the Certification Board of Addiction Professionals of Florida did not require a bachelor's degree.

IV. Constitutional Issues:

A. Municipality/County Mandates Restrictions:

None.

B. Public Records/Open Meetings Issues:

None.

C. Trust Funds Restrictions:

None.

V. Economic Impact and Fiscal Note:

A. Tax/Fee Issues:

None.

B. Private Sector Impact:

Licensed substance abuse providers could incur an indeterminate amount of additional costs during the implementation of this bill if they chose to pay for the certification of current employees or if they must hire additional qualified staff to carry out the clinical and supervisory functions of their agency during the transition period. The initial cost of certification is currently \$225 per person and the annual fee thereafter is \$125 per member.

There would be an increase in revenue for the Certification Board of Addiction Professionals of Florida because master's level persons would be required to obtain certification in order to continue as a qualified professional under chapter 397, F.S.

C. Government Sector Impact:

Licensed substance abuse providers who contract with a state agency could incur an indeterminate amount of additional costs during the implementation of this bill if they chose to pay for the certification of current employees or if they must hire additional qualified staff to carry out the clinical and supervisory functions of their agency during the transition period. The initial cost of certification is currently \$225 per person and the annual fee thereafter is \$125 per member.

VI. Technical Deficiencies:

None.

VII. Related Issues:

None.

VIII. Amendments:

#1 by Children, Families and Seniors:

Specifies that under the definition of “qualified professional,” a person certified through a department-recognized certification process for substance abuse services must have at least a bachelors’ degree.

Specifies that a person certified in substance abuse treatment services by a state-recognized certification process in another state may function as a qualified professional under chapter 397, F.S., for 1 year after employment by a Florida licensed substance abuse provider.

Specifies that a persons with a master’s degree in a social or behavioral science in a human services discipline with a minimum of 2 years’ experience in assessment or treatment of substance abuse may perform the duties of a qualified professional under chapter 397, F.S., until January 1, 2001.

Specifies that a person may perform the duties of a “qualified professional” under chapter 397, F.S., without meeting the certification requirements in s. 397.311(25), F.S. if certified before January 1, 1995, through a certification process recognized by the former Department of Health and Rehabilitative Services.