

1 State of Arkansas
2 89th General Assembly
3 Regular Session, 2013
4

A Bill

SENATE BILL 736

5 By: Senator S. Flowers
6 By: Representatives F. Smith, H. Wilkins
7

For An Act To Be Entitled

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

15 TO AMEND ARKANSAS LAW CONCERNING THE
16 POWERS AND DUTIES OF THE STATE BOARD OF
17 EXAMINERS OF ALCOHOLISM AND DRUG ABUSE
18 COUNSELORS; AND TO DECLARE AN EMERGENCY.
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22 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
23

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

27 (c) The board may conduct hearings on charges calling for the denial,
28 revocation, or suspension of a license or certification or issuance of a
29 monetary fine, shall adopt rules for the conduct of the hearings, and shall
30 cause the prosecution of all persons who violate any provisions of this
31 subchapter or any rule ~~or regulation~~ promulgated pursuant to its provisions.
32

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

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



1 examination:

2 (A) Applications for licensure;

3 (B) Examinations;

4 (C) Renewal of licensure;

5 (D) Late fees;

6 (E) Fines; and

7 (F) Administrative costs.

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

13
 14 SECTION 3. Arkansas Code § 17-27-408(a)(4), concerning licensure
 15 requirements for a licensed alcoholism and drug abuse counselor, is amended
 16 to read as follows:

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

19
 20 SECTION 4. Arkansas Code § 17-27-409(a)(4), concerning licensure
 21 requirements for an associate alcoholism and drug abuse counselor, is amended
 22 to read as follows:

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

25
 26 SECTION 5. Arkansas Code § 17-27-410(a)(4), concerning licensure
 27 requirements for a certified alcoholism and drug abuse technician, is amended
 28 to read as follows:

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

31
 32 SECTION 6. Arkansas Code § 17-27-414(b) and (c), concerning the
 33 authority of the State Board of Examiners of Alcoholism and Drug Abuse
 34 Counselors, are amended to read as follows:

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

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

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

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

12
13 SECTION 7. EMERGENCY CLAUSE. It is found and determined by the
14 General Assembly of the State of Arkansas that under § 25-15-105, the
15 authority of the State Board of Examiners of Alcoholism and Drug Abuse
16 Counselors to charge certain fees currently collected by the board will
17 expire on July 1, 2013, and that this act is necessary to allow the board to
18 continue to collect the revenues it currently receives and to allow the board
19 to maintain its current level of operation. Therefore, an emergency is
20 declared to exist, and this act being necessary for the preservation of the
21 public peace, health, and safety shall become effective on July 1, 2013.