

STATE OF MAINE

IN THE YEAR OF OUR LORD  
TWO THOUSAND AND ELEVEN

H.P. 1106 - L.D. 1505

**An Act To Clarify the Scope of Practice of Licensed Alcohol and Drug  
Counselors Regarding Tobacco Use**

**Emergency preamble.** Whereas, acts and resolves of the Legislature do not become effective until 90 days after adjournment unless enacted as emergencies; and

**Whereas,** tobacco use continues to take a significant and yet largely preventable toll on the health of Maine residents and drains the economic resources of the State; and

**Whereas,** tobacco addiction affects a large proportion of Maine residents; and

**Whereas,** licensed alcohol and drug counselors are available to provide assistance to Maine residents, and there is evidence to suggest that providing tobacco addiction counseling services concurrently with other addiction counseling services is effective; and

**Whereas,** in the judgment of the Legislature, these facts create an emergency within the meaning of the Constitution of Maine and require the following legislation as immediately necessary for the preservation of the public peace, health and safety; now, therefore,

**Be it enacted by the People of the State of Maine as follows:**

**Sec. 1. 32 MRSA §6203-A, sub-§3,** as enacted by PL 2007, c. 402, Pt. U, §2, is amended to read:

**3. Alcohol and drug counseling services.** "Alcohol and drug counseling services" are those counseling services offered for a fee, monetary or otherwise, as part of the treatment and rehabilitation of persons abusing alcohol or other drugs. The purpose of alcohol and drug counseling services is to help individuals, families and groups confront and resolve problems caused by the abuse of alcohol or other drugs. Alcohol and drug counseling services are the 12 core functions defined by rule of the board. "Alcohol and drug counseling services" includes nicotine addiction counseling and treatment services.

**Sec. 2. 32 MRSA §6206, sub-§6** is enacted to read:

**6. Nicotine addiction counseling.** Nothing in this chapter may be construed to require a person engaged in providing nicotine addiction counseling or treatment services to be licensed as an alcohol and drug counselor.

**Emergency clause.** In view of the emergency cited in the preamble, this legislation takes effect when approved.

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In House of Representatives, ..... 2011

Read twice and passed to be enacted.

..... Speaker

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In Senate, ..... 2011

Read twice and passed to be enacted.

..... President

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Approved ..... 2011

..... Governor