

## **125th MAINE LEGISLATURE**

## FIRST REGULAR SESSION-2011

**Legislative Document** 

No. 1505

H.P. 1106

House of Representatives, April 22, 2011

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

(AFTER DEADLINE)

(EMERGENCY)

Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 205.

Received by the Clerk of the House on April 20, 2011. Referred to the Committee on Labor, Commerce, Research and Economic Development pursuant to Joint Rule 308.2 and ordered printed pursuant to Joint Rule 401.

Heath & Puit

HEATHER J.R. PRIEST Clerk

Presented by Representative CAIN of Orono. Cosponsored by Senator RECTOR of Knox.

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- 1 **Emergency preamble. Whereas,** acts and resolves of the Legislature do not 2 become effective until 90 days after adjournment unless enacted as emergencies; and
- 3 **Whereas,** tobacco use continues to take a significant and yet largely preventable toll 4 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

6 **Whereas,** licensed alcohol and drug counselors are available to provide assistance to 7 Maine residents, and there is evidence to suggest that providing tobacco addiction 8 counseling services concurrently with other addiction counseling services is effective; 9 and

10 **Whereas,** in the judgment of the Legislature, these facts create an emergency within 11 the meaning of the Constitution of Maine and require the following legislation as 12 immediately necessary for the preservation of the public peace, health and safety; now, 13 therefore,

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

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- 15 Sec. 1. 32 MRSA §6203-A, sub-§7-A is enacted to read:
- 16 **7-A. Drug.** "Drug" includes the chemical substance known as nicotine.
- 17 Sec. 2. 32 MRSA §6206, sub-§6 is enacted to read:

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

- 21 **Emergency clause.** In view of the emergency cited in the preamble, this 22 legislation takes effect when approved.
- 23 SUMMARY
- This bill clarifies that treatment for nicotine addiction is within an alcohol and drug counselor's scope of practice but does not require those providing nicotine treatment to be licensed as alcohol and drug counselors.