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FISCAL IMPACT REPORT

SPONSOR: Whitaker DATE TYPED: 03/04/03 HB 395/aHJC

SHORT TITLE: Licensing Exemption for Peer Counselors SB _____

ANALYST: Geisler

APPROPRIATION

Appropriation Contained		Estimated Additional Impact		Recurring or Non-Rec	Fund Affected
FY03	FY04	FY03	FY04		
		NFI	NFI		

(Parenthesis () Indicate Expenditure Decreases)

Relates to: HB 784

SOURCES OF INFORMATION

Regulation and Licensing Department (RLD)

SUMMARY

Synopsis of HJC Amendment

The House Judiciary Committee Amendment to House Bill 395 adds a new subsection to Section B that states that nothing in the section shall be construed to allow an individual who has lost his/her license (or has it suspended) by the board to avoid such loss or suspension by utilizing the exemptions from the act listed in Section B.

Synopsis of Original Bill

House Bill 395 provides that individuals who serve as peer counselors for a twelve-step recovery program or a similar self-help chemical dependency recovery program would be exempt from the N.M. Counseling and Therapy Practice Act if the program:

- does not offer chemical dependency treatment;
- does not charge program participants; and
- allows program participants to maintain anonymity.

Significant Issues

While the Counseling and Therapy Practice Board supports the objective of increasing the number of chemical dependency counselors to meet pressing needs, it is concerned that this bill may allow individuals without the education and experience to perform alcohol and drug abuse counseling.

RELATIONSHIP

Relates to HB 784, which proposes a similar exemption for peer counselors.

OTHER SUBSTANTIVE ISSUES

Peer counselors are not licensed by the Counseling and Therapy Practice Board, so the need for the exemption proposed by the bill to the practice act is unclear. However, the Board believes it is essential that peer counselors have proper supervision from the appropriate licensed professionals such as alcohol and drug abuse counselors, psychiatrists, clinical psychologists, and mental health counselors.

G/GG/yr