



# Updated Substance Use Disorder Service Rules for Counselors in Michigan

An overview of the Substance Use Disorder Service Program  
administrative rule changes for counseling professionals in  
Michigan



# Webinar Agenda

No.	Session Title	Presenter
1	Administrative Rules Update for Substance Use Disorder Programs	Matthew Jordan, JD
2	The Michigan Certification Board for Addiction Professionals (MCBAP) Overview of Counseling Certification Pathways	Jennifer Mitchell, LPC, CCS, CAADC
3	Substance Use Disorder Administrative Rules Frequently Asked Questions for Counseling Services	Valencia Lyle, MPH
4	Question and Answer Session	Panel

# Administrative Rules Update for Substance Use Disorder (SUD) Programs

An Overview of the 2023 SUD Administrative Rule Changes  
for Counselors in Michigan

Presentation Facilitated by  
**Matthew Jordan, JD**

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Bureau of Community and Health Systems  
Department of Licensing and Regulatory Affairs



**LARA**  
LICENSING AND REGULATORY AFFAIRS

# Presentation Agenda

- 1) Background on SUD Administrative Rules
- 2) Who works in LARA's State Licensing Section for SUD facilities?
- 3) Statutory Acts
- 4) Updated Counseling Rules Definitions
- 5) Counseling Service Requirements
- 6) Questions



## About This Presentation

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# Background on the SUD Administrative Rules

## Background

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- On June 26, 2023, LARA's updated Substance Use Disorder (SUD) administrative rules went into effect.
- The updated rules consist of, but not limited to, important changes including the following:
  - Addition of branch offices and mobile units
  - Removal of buprenorphine and naltrexone from facility licensure requirements
  - Expansion of staff development and training opportunities
  - Broadening of the types of counselors who can provide counseling services



## Key Takeaway

These rules serve to protect SUD service recipients and support the successful business practices of SUD service providers.

# Who Works in LARA's State Licensing Section for SUD Facilities?

## Organizational Chart



# Statutory Acts

## State & Federal Regulations

### *State Regulations*

- Public Health Code, Act 368 of 1978, Articles 6 and 17
- Mental Health Code, Act 258 of 1974, Chapter 2A

### *Federal Regulations*

- Social Security Act, Section 1864
- Code of Federal Regulations, 42 CFR Part 488
- Clinical Laboratory Improvement Amendments (CLIA)

### *Other Agencies*

- Michigan Department of Health and Human Services
- Bureau of Professional Licensing
- Substance Abuse and Mental Health Services Administration
- Drug Enforcement Administration
- Food and Drug Administration



# Counseling Rules

## Updated & New Definitions

## SUD Rules Definitions

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### **Outpatient Counseling Program**

“Outpatient counseling program” means a non-residential program engaged in behavioral health counseling for substance use disorders provided by an identified health professional, as that term is defined in these rules. Outpatient counseling program does not include services offered by other individuals, such as peer recovery coaches, case managers, or other individuals not defined in these rules.



### **Limited Certified Counselor**

“Limited certified counselor” means an individual who is employed or who volunteers to work providing counseling to recipients in a substance use disorder services program licensed by the department under part 62 of the public health code, MCL 333.6230 to 333.6251, and who has completed a minimum set of state-approved requirements before completing the necessary prerequisites to become a certified alcohol and drug counselor by an organization approved or recognized by the department.



### **Licensed Marriage and Family Therapist**

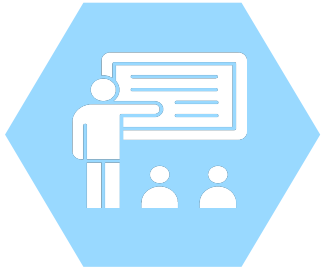
“Licensed marriage and family therapist” or “LMFT” means an individual engaged in counseling recipients in a substance use disorder services program and who is licensed under part 169 of the public health code, MCL 333.16901 to 333.16915, and providing services in compliance with the scope of his or her license.



# Counseling Rules

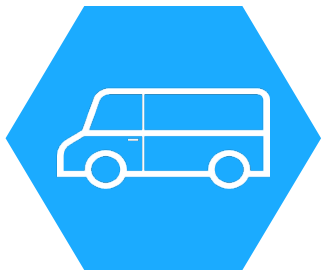
## Updated & New Definitions

### SUD Rules Definitions



#### **Staff Development and Training**

An applicant or licensee shall establish a staff development and training program that includes all of the following: (a) Orientation for staff; (b) On-the-job training; (c) In-service education; (d) Opportunity for continuing job-related education.



#### **Mobile Units**

“Mobile unit” means a state-approved mobile unit assigned to a state-licensed substance use disorder services program location. The state-licensed program is considered the parent organization and provides supervision and administration of the mobile unit.



#### **Branch Offices**

“Branch office” means a state-approved location physically separate from the state-licensed substance use disorder services program location. The state-licensed program is considered the parent organization and provides supervision and administration of the branch location.

# Counseling Service Requirements for New Counselor Types

## Detailed Rule Requirements

Newly added limited certified counselor rules:

- Outpatient programs and methadone programs - up to 32 recipients per limited certified counselor
- Residential programs and residential withdrawal management programs (clinically managed and medically monitored) – up to 10 recipients per limited certified counselor



Recipient-to-counselor ratios for licensed and certified counselors remain unchanged from previous rules.

The new rules added an additional licensed counselor type: licensed marriage and family therapist (LMFT). For the existing counselors and LMFTs:

- Outpatient programs and methadone programs - up to 65 recipients per licensed or certified counselor
- Residential programs and residential withdrawal management programs (clinically managed and medically monitored) – up to 20 recipients per licensed or certified counselor

# Counseling Service Requirements for Staff Training & Development

## Detailed Rule Requirements

An applicant or licensee shall establish a staff development and training program that includes all of the following:

- (a) Orientation for staff,
- (b) On-the-job training,
- (c) In-service education, and
- (d) Opportunity for continuing job-related education.

Excluding outpatient services, a licensee shall establish an in-service education program for all staff who treat, monitor, or interact with a recipient for care at orientation and regular intervals as appropriate but at a minimum of every 3 years.



# Counseling Service Requirements for Branch Offices & Mobile Units

Detailed Rule  
Requirements

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Branch Office

An application for a branch location may be approved if the branch location satisfies all of the following requirements:

- The parent organization provides outpatient counseling offered by the branch office
- Is associated with a parent office open for at least 2 years
- Must be within 75 miles of parent location
- May offer up to 3 branch offices per parent location
- Open under 20 hours per week



Mobile Unit

An application for a mobile unit may be approved if the mobile unit satisfies all of the following requirements:

- The parent organization provides treatment or rehabilitation offered by the mobile unit
- Is associated with a parent office open for at least 2 years
- May offer up to 3 mobile units per parent location
- The mobile unit returns each night to the parent location if the unit offers methadone treatment

# Any Questions?

Thank you for providing quality  
services in Michigan

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# The Bureau of Community and Health Systems (BCHS) & The Michigan Certification Board for Addiction Professionals (MCBAP) webinar

Jennifer E. Mitchell, LPC, CCS, CAADC  
MCBAP Executive Director

November 29, 2023

MCBAP content is valid on the date of presentation (11/29/2023) and subject to change.

# Agenda

## Background

## Requirements

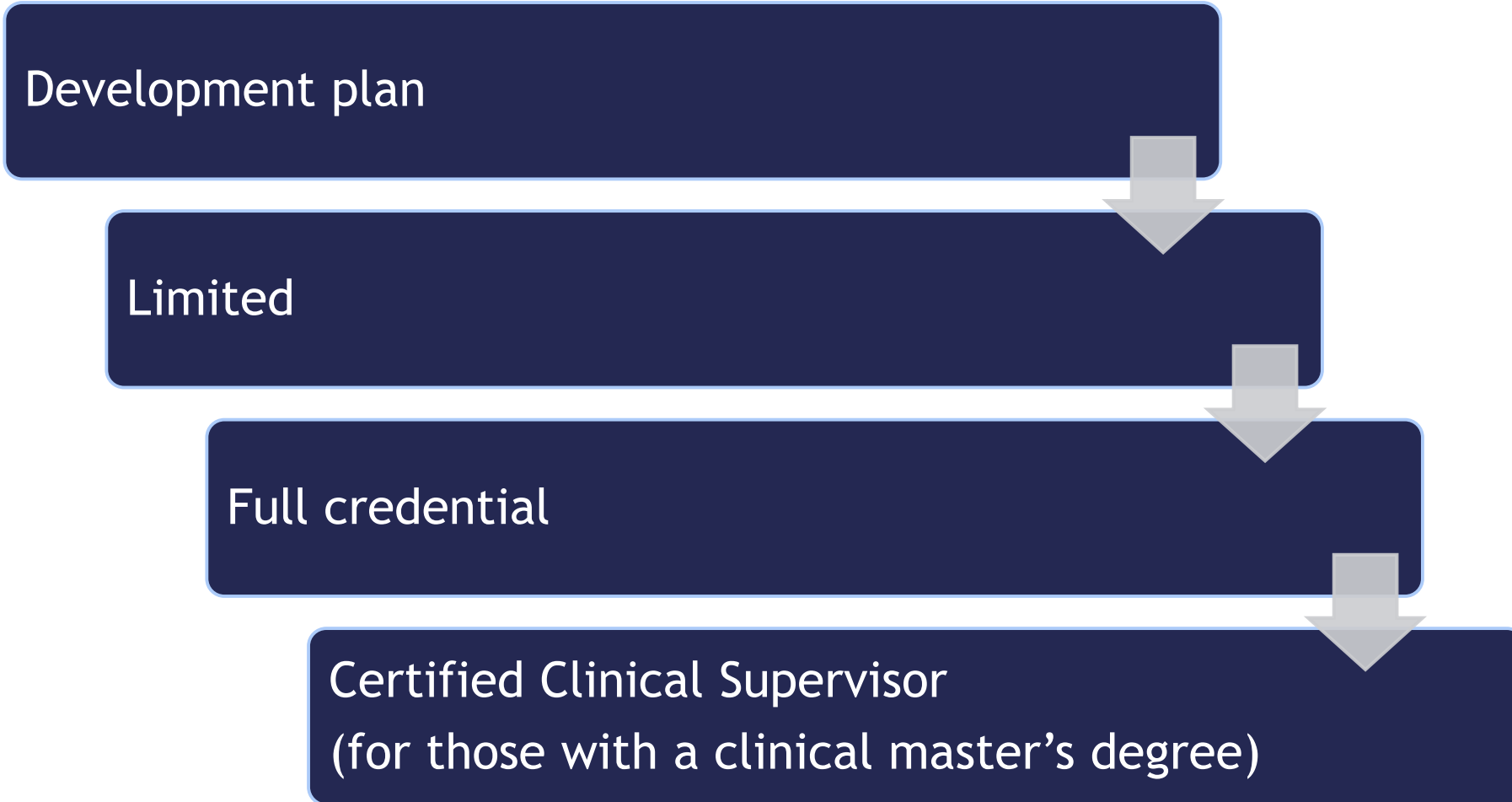
- Work experience
- Education (degree)
- Additional education
- Supervision
- Testing
- Residency
- Code of Ethics
- Application

## Next steps

## Q&A



# Background: A Potential Career Ladder



# Background: Notes



An LCADC/LCAADC is not required by MCBAP to obtain a full credential.



May be required by the employer and/or their payment sources.



It is an agreement between the individual and the employer.



It is a time-limited, one-time opportunity – maximum of 2 years.



If that time lapses and the LCADC/LCAADC expires, the candidate can and is encouraged to continue to prepare for the full credential.

# Work Experience

- One year of full-time work experience equates to 2,000 hours.
- Must be obtained in the field of substance use disorder (SUD).
- Must be in the IC&RC domains as demonstrated by agency job description. May be as a paid or volunteer employee.
- Must have occurred within the last 10 years.

# Work Experience

LCADC	LCAADC
<p>High school/GED: 4,000 hours of providing services as a Certified Peer Recovery Mentor or State (MDHHS/OROSC) Certified Peer Recovery Coach 4,000 hours providing counseling to those with SUD.</p> <p>Associates degree in an approved discipline: 4,000 hours providing counseling to those with SUD.</p> <p>Bachelors degree or higher in an approved discipline: 1,500 hours providing counseling to those with SUD.</p> <p>Masters degree or higher in an approved discipline: 1,500 hours providing counseling to those with SUD</p>	<p>Masters degree or higher in an approved discipline:</p> <p>1,400 post-master's hours providing counseling to those with SUD.</p>

# Education (degree)



Highest level of degree in an approved discipline.



Degrees must be from a program accredited by the U.S. Department of Education or the Council on Higher Education Accreditation.



Official transcripts from school, college or university are required to be emailed or mailed directly to MCBAP. Copies will not be accepted.

# Education (degree)

LCADC	LCAADC
<p>High School/GED diploma with 4,000 hours of providing services as a Certified Peer Recovery Mentor or State (MDHHS/OROSC) Certified Peer Recovery Coach 4,000 hours providing counseling to those with SUD OR</p> <p>Associate or bachelor's degree: Counseling, psychology, social work, addiction studies, marriage and family therapy, family studies, sociology, human services, criminal justice, public health, nursing and social science OR</p> <p>Master's degree or higher: Counseling, psychology, social work, addiction studies, marriage and family therapy and criminal justice.</p>	<p>Master's degree or higher: Counseling, psychology, social work, addiction studies, marriage and family therapy.</p>

# Additional Education

LCADC	LCAADC
<p>200 total education hours required.</p> <p>Of those: 150 must be specific to SUD. 44 hours may be related and/or specific to SUD. 6 hours of ethics broken down as follows:     3 hours in professional boundaries,     2 hours of ethics code,     and 1 hour in 42 CFR, Part 2.</p>	<p>120 total education hours required.</p> <p>Of those: 114 must be specific to SUD. 6 hours of ethics broken down as follows:     3 hours in professional boundaries,     2 hours of ethics code,     and 1 hour in 42 CFR, Part 2.</p>



## MCBAP Specific

Specific - when the title, goals, objectives or course outline are specifically focused on alcohol, tobacco, and/or other substance use issues. Key words in course titles may include substance abuse, substance use disorder, drug addiction, chemical dependency, alcohol, tobacco, drug use, or co-occurring disorders

# MCBAP Related

Related - when the title, goals, objectives or course outline content clearly indicate the course content addresses development of any of the domains, but the context may not directly address SUD issues (e.g. gambling, general counseling skills, EMDR, trauma-informed-care, clinical theory, therapeutic methods).

# Supervision

- ▶ Supervision is defined as a formal, systematic process that focuses on skill development and integration of knowledge.
- ▶ Supervision must occur as part of an eligible work experience.
- ▶ Supervision may be completed under more than one supervisor.
- ▶ Applicants are responsible for securing and submitting proof of supervision.
- ▶ Supervision must be obtained in the IC&RC domains which can be found in the IC&RC Candidate Guide.

# Supervision

LCADC	LCAADC
<p><b><u>Total Number of Hours Required:</u></b> High school/GED or Associate's degree in an approved discipline: 200 hours specific to IC&amp;RC Domains. Bachelor's degree in an approved discipline: 100 hours specific to IC&amp;RC Domains. Master's degree in an approved discipline: 70 hours.</p> <p><b><u>Required Supervisor Credentials:</u></b> Certified Clinical Supervisor - Development Plan Certified Clinical Supervisor (CCS) Certified Clinical Supervisor-Michigan (CCS-M)</p>	<p><b><u>Total Number of Hours Required:</u></b> Master's degree or higher in an approved discipline: 70 hours post-master's degree specific to IC&amp;RC Domains.</p> <p><b><u>Required Supervisor Credentials:</u></b> Certified Clinical Supervisor - Development Plan Certified Clinical Supervisor (CCS) Certified Clinical Supervisor-Michigan (CCS-M)</p>

# Test

- Passing exam on the IC&RC exam is required for the LCADC/LCAADC
- MCBAP offers a test prep session to review what to expect and how to prepare. Information can be found on the training calendar on the MCBAP website

MCBAP content is valid on the date of presentation (11/29/2023) and subject to change.

# Residency

Applicants must live or work 51% of the time in the State of Michigan at the time of application.

# Ethics

- Applicants must read, sign and adhere to the Code of Ethical Standards for the credential for which they are applying
- Failure to do so may result in suspensions, sanctions or revocations as outlined in the Guide for Ethical Standards Violation Complaints



# Application

- Complete application in Certemy
- Pay \$125.00 fee
- Review by MCBAP will be completed within 42 business days

# Next steps

- Go live on December 1, 2023
- Email [info@mcbap.com](mailto:info@mcbap.com) if you
  - have questions
  - or your employee would like to begin the application for the LCADC/LCAADC

# Q&A



MCBAP content is valid on the date of presentation (11/29/2023) and subject to change.



# Substance Use Disorder (SUD) Administrative Rules FAQs for Counseling Services

An Overview of the Frequently Asked Questions  
Regarding Counseling Service Rules



Facilitated by:  
**Valencia Lyle, MPH**  
Contractor

LARA Bureau of Community and Health Systems

# Agenda

What the FAQ Document Covers

1. Staff Development and Training
2. Differentiating Counselor Roles and Procedures
3. Limited Certified Counselors
4. Branch Office Staffing
5. Counseling Contacts Decision Tree

# Substance Use Disorder (SUD) Administrative Rules FAQs for Counseling Services

- **What:** Resource for SUD programs providing counseling services and counselors
- **Where:** Michigan.gov/LARA > Bureaus > Community and Health Systems > Health Care Providers > Substance Use Disorder Programs > Resources

## Substance Use Disorder (SUD) Administrative Rules FAQs for Counseling Services

On June 26, 2023, the Michigan Department of Licensing and Regulatory Affairs (LARA), Bureau of Community and Health Systems Substance Use Disorders (SUD) Service Program [Administrative Rules](#) went into effect. The new rules include important changes pertaining to counseling services. This Frequently Asked Questions (FAQs) resource addresses some of the most common questions about the new counseling service rules.

### Staff Development and Training

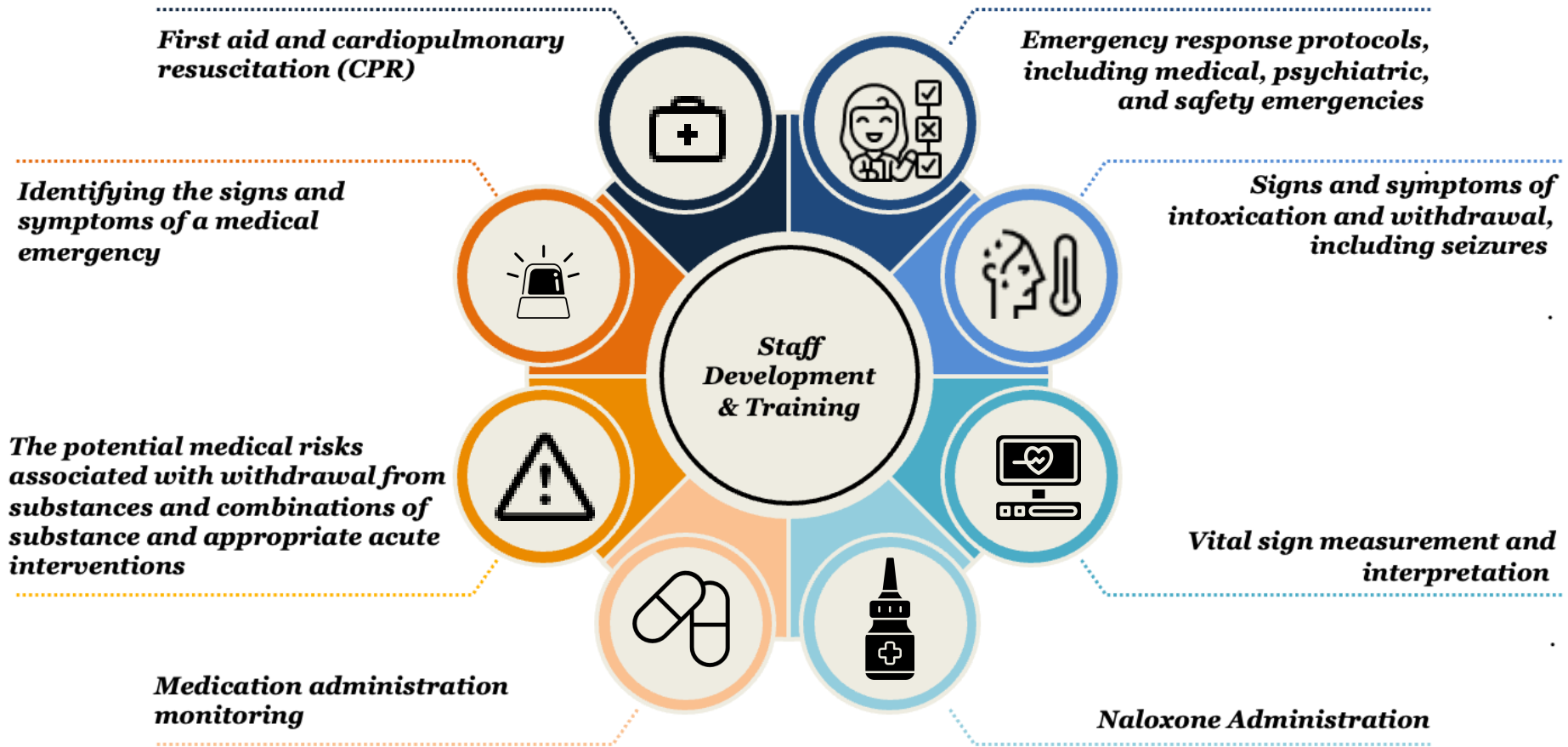
1. The STAFF DEVELOPMENT AND TRAINING rules list eight different trainings for licensed facilities to provide, at a minimum. Are all staff required to complete these trainings?

All staff who interact with, treat, and/or monitor SUD service recipients must receive the in-service education program trainings at least once every three years. At a minimum, the in-service education program must include: (1) first aid and cardiopulmonary resuscitation (CPR); (2) identifying the signs and symptoms of a medical emergency; (3) the potential medical risks associated with withdrawal from substances and combinations of substance and appropriate acute interventions; (4) medication administration monitoring; (5) emergency response protocols, including medical, psychiatric, and safety emergencies; (6) signs and symptoms of intoxication and withdrawal, including seizures; (7) vital sign measurement and interpretation; (8) naloxone administration.

### Differentiating Counselor Roles and Procedures by Certification Type

2. What is the difference between a development plan, LIMITED CERTIFIED COUNSELOR, and a fully certified counselor?

# The staff development and training rules list eight different trainings for licensed facilities to provide, at a minimum. Are all staff required to complete these trainings?



\*Excluding outpatient services, a licensee shall establish an in-service education program for all staff who treat, monitor, or interact with a recipient for care issues at orientation and at regular intervals as appropriate but at a minimum of every 3 years.

# What is the difference between a development plan, limited certified counselor, and a fully certified counselor?



## Development Plan

A time-limited agreement between an employee and their employer. It is not a certification. It is designed for employees who do not yet hold a specialty certification from MCBAP. The development plan is a bridge to obtain either the limited certification or the full certification.



## Limited Certified Counselor

Time limited agreement between an employee and their employer. It is designed for employees who do not yet hold a specialty certification from MCBAP but have achieved many of the milestones toward certification. It is a bridge to obtain the full certification.



## Fully Certified Counselor

A full MCBAP certification means that the individual has met all necessary requirements and has been conferred a credential by MCBAP.



# What do we do with counselors who are currently billing under a development plan, but they do not qualify as a Limited Certified Counselor?

Under licensing regulations, only a state-licensed or MCBAP certified counselor should be offering these covered services.

BCHS does not get involved in billing issues but would investigate anyone offering counseling services that is not state licensed or MCBAP certified in a licensed setting.

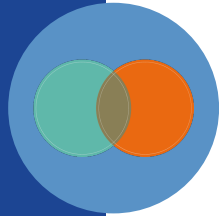
BCHS would also look for evidence that the individual is not directly and independently offering that service without appropriate review and oversight by a state licensed or MCBAP certified person.

# How do we employ counselors during the first two years of their development plan before they qualify for the credential?

Decisions regarding the employment of counselors completing a development plan can be made by the facility providing the counseling services.



# Limited Certified Counselor



## What is the difference between a limited LICENSED counselor and a limited CERTIFIED counselor?

A limited LICENSED counselor is a professional counselor working toward full licensure who has received a master's or doctoral degree in counseling from a qualified program, or a degree that has been determined to be substantially equivalent to a counseling degree from a qualified program.

A limited CERTIFIED counselor is an individual who does not yet hold the specialty certification from Michigan Certification Board for Addiction Professionals (MCBAP) but is employed by or volunteers to work at a licensed program providing SUD services.



## I have limited certified counselors working at my facility. Why must limited certified counselors now be restricted to 32 recipients?

LARA identified an appropriate maximum number of patients that LIMITED CERTIFIED COUNSELORS can be responsible for. LIMITED CERTIFIED COUNSELORS could not contribute to the recipient-to-counselor ratios in the previous administrative rules. These new rules permit LIMITED CERTIFIED COUNSELORS to be responsible for no more than 32 recipients of outpatient counseling and/or methadone program services and no more than 10 recipients of residential and/or residential withdrawal management program services.



## How can my facility access a list of available limited certified counselors?

The MCBAP website has a tool at the top of the page titled, "FIND A PROFESSIONAL." After clicking on the button, you will be redirected to a page that lists the certificants' name, county, credential acronym, credential ID, credential issue date, and credential expiration date.

# Branch Office Staffing

*Does the limit on the hours of operation for branch office providing outpatient services pertain to all SUD program staff or only the counselors?*

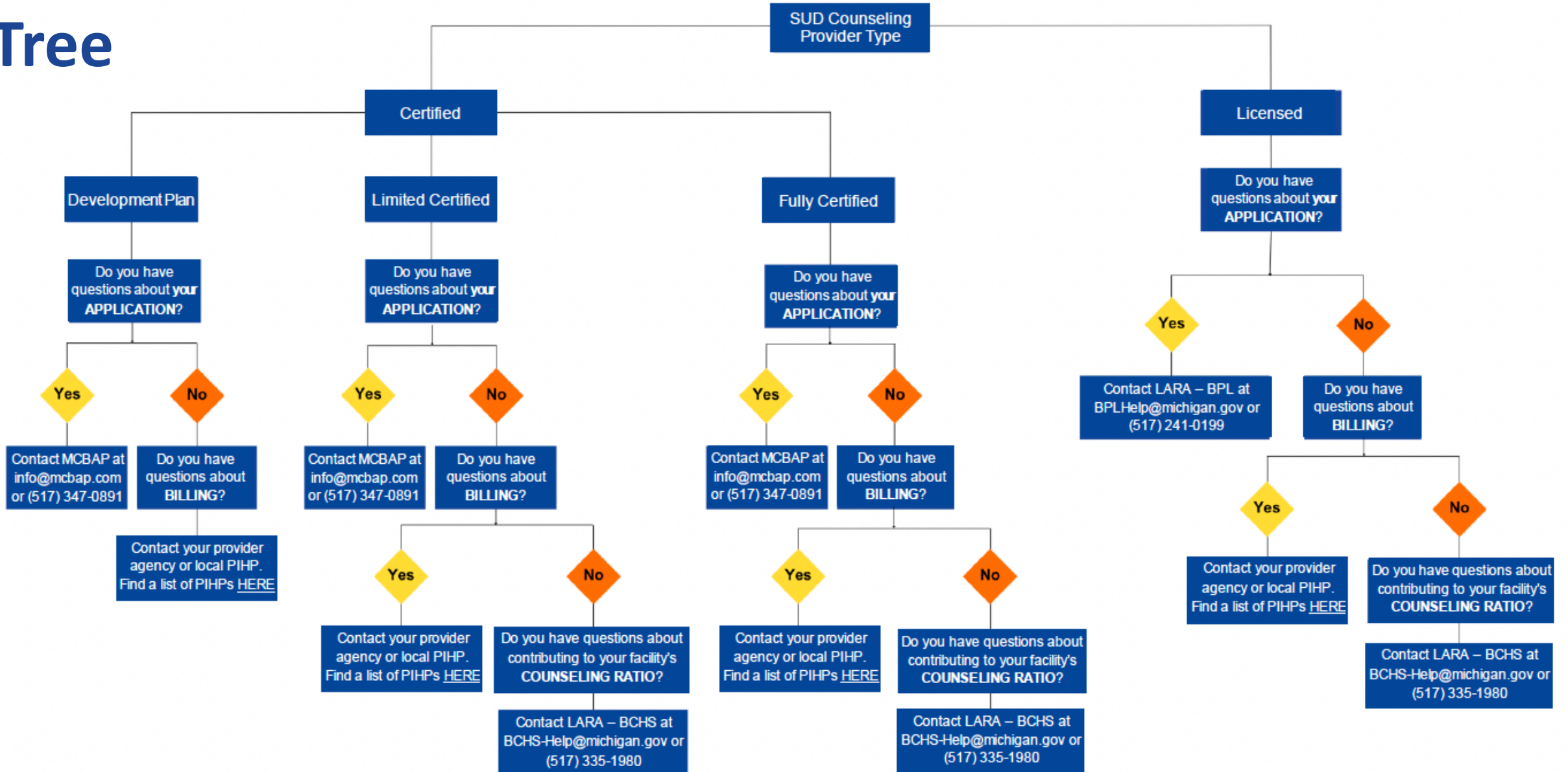
Branch offices can only be open and operate for 20 hours per week. This limitation is for all services and all operations.

The parent office needs the proper licensed counselor(s) to meet the counselor-to-recipient ratio. Additional staff will need to be hired if the branch office adds more recipients to ensure that the ratios are still met. However, if counselor-to-recipient ratios are met, any eligible staff can split time between the parent office and the branch office(s). Outpatient SUD programs are not required to have full-time employees.

*If a licensed outpatient parent office has two branch offices, do the counselor-to-recipient ratios have to be met at all sites?*

# Counseling Contacts Decision

## Tree





# Thank You!

Please enter your questions into  
the Q&A 