

**§ 90-113.43. Illegal practice; misdemeanor penalty.**

(a) **(For effective until date – see note)** Except as otherwise authorized in this Article, no person shall:

- (1) Offer substance use disorder professional services, practice, attempt to practice, or supervise while holding himself or herself out to be a certified alcohol and drug counselor, certified prevention specialist, certified clinical supervisor, licensed clinical addictions specialist, licensed clinical addictions specialist associate, certified substance abuse residential facility director, certified criminal justice addictions professional, clinical supervisor intern, alcohol and drug counselor intern, or registrant without first having obtained a notification of registration, certification, or licensure from the Board.
- (2) Use in connection with any name any letters, words, numerical codes, or insignia indicating or implying that this person is a registrant, certified alcohol and drug counselor, certified prevention specialist, certified clinical supervisor, licensed clinical addictions specialist, certified substance abuse residential facility director, alcohol and drug counselor intern, certified criminal justice addictions professional, or licensed clinical addictions specialist associate, unless this person is registered, certified, or licensed pursuant to this Article.
- (3) Practice or attempt to practice as a certified alcohol and drug counselor, certified prevention specialist, certified clinical supervisor, licensed clinical addictions specialist, certified criminal justice addictions professional, alcohol and drug counselor intern, licensed clinical addictions specialist associate, clinical supervisor intern, certified substance abuse residential facility director or registrant with a revoked, lapsed, or suspended certification or license.
- (4) Aid, abet, or assist any person to practice as a certified alcohol and drug counselor, certified prevention specialist, certified criminal justice addictions professional, certified clinical supervisor, licensed clinical addictions specialist, certified substance abuse residential facility director, registrant, alcohol and drug counselor intern, licensed clinical addictions specialist associate, or clinical supervisor intern in violation of this Article.
- (5) Knowingly serve in a position required by State law or rule or federal law or regulation to be filled by a registrant, certified alcohol and drug counselor, certified prevention specialist, certified criminal justice addictions professional, certified clinical supervisor, licensed clinical addictions specialist, certified substance abuse residential facility director, alcohol and drug counselor intern, licensed clinical addictions specialist associate, or clinical supervisor intern unless that person is registered, certified, or licensed under this Article.
- (6) Repealed by S.L. 1997-492, s. 13.
- (7) Repealed by Session Laws 2008-130, s. 6, effective July 28, 2008.

(a) **(For postponed effective date, see note)** Except as otherwise authorized in this Article, no person shall:

- (1) Offer substance use disorder professional services, practice, attempt to practice, or supervise while holding himself or herself out to be a certified alcohol and drug counselor, certified prevention specialist, certified clinical supervisor, licensed clinical addictions specialist, licensed clinical addictions specialist associate, certified criminal justice addictions professional, clinical supervisor intern, alcohol and drug counselor intern, or registrant without first

having obtained a notification of registration, certification, or licensure from the Board.

- (2) Use in connection with any name any letters, words, numerical codes, or insignia indicating or implying that this person is a registrant, certified alcohol and drug counselor, certified prevention specialist, certified clinical supervisor, licensed clinical addictions specialist, alcohol and drug counselor intern, certified criminal justice addictions professional, or licensed clinical addictions specialist associate, unless this person is registered, certified, or licensed pursuant to this Article.
- (3) Practice or attempt to practice as a certified alcohol and drug counselor, certified prevention specialist, certified clinical supervisor, licensed clinical addictions specialist, certified criminal justice addictions professional, alcohol and drug counselor intern, licensed clinical addictions specialist associate, clinical supervisor intern, or registrant with a revoked, lapsed, or suspended certification or license.
- (4) Aid, abet, or assist any person to practice as a certified alcohol and drug counselor, certified prevention specialist, certified criminal justice addictions professional, certified clinical supervisor, licensed clinical addictions specialist, registrant, alcohol and drug counselor intern, licensed clinical addictions specialist associate, or clinical supervisor intern in violation of this Article.
- (5) Knowingly serve in a position required by State law or rule or federal law or regulation to be filled by a registrant, certified alcohol and drug counselor, certified prevention specialist, certified criminal justice addictions professional, certified clinical supervisor, licensed clinical addictions specialist, alcohol and drug counselor intern, licensed clinical addictions specialist associate, or clinical supervisor intern unless that person is registered, certified, or licensed under this Article.
- (6) Repealed by S.L. 1997-492, s. 13.
- (7) Repealed by Session Laws 2008-130, s. 6, effective July 28, 2008.

(b) A person who engages in any of the illegal practices enumerated by this section is guilty of a Class 1 misdemeanor. Each act of unlawful practice constitutes a distinct and separate offense. (1993 (Reg. Sess., 1994), c. 685, s. 1; 1997-492, s. 13; 2005-431, s. 1; 2008-130, s. 6; 2012-72, s. 7; 2019-240, ss. 8(m), 9(g).)