



CALIFORNIA COALITION OF CERTIFYING ORGANIZATIONS

Uniform Disciplinary Guidelines

For Addiction Treatment Professionals

7/21/2019



TABLE OF CONTENTS

INTRODUCTION.....	2
APPLICATION INTEGRITY.....	4
BACKGROUND DISCLOSURE	4
BUSINESS PRACTICES	5
CLIENT DISCLOSURE, CONSENT, AND RECORDS.....	6
CRIMINAL BEHAVIOR, OTHER BOARD DISCIPLINE.....	7
DISCIPLINARY INVESTIGATIONS.....	8
IMPAIRED ABILITY.....	8
PATIENT CONFIDENTIALITY.....	9
PATIENT FINANCIAL EXPLOITATION.....	11
PRACTICING WITHOUT APPROPRIATE CREDENTIAL.....	11
PROHIBITED SEXUAL BEHAVIOR.....	12
PROHIBITED RELATIONSHIPS (NON-SEXUAL).....	12
REPORTING REQUIREMENTS.....	13
UNPROFESSIONAL CONDUCT: ABUSE, DISCRIMINATION, ETC.....	14

INTRODUCTION

The Uniform Disciplinary Guidelines (UDG) was created as a collaborative effort on the part of CCAPP, the California Association of Alcohol Drug Educators (CAADE), and the California Association of DUI Treatment Providers (CADTP) as a means of standardizing our mutual associations' approaches to applying sanctions. The UDG contains "guidelines" for consequences based on violations of the codes of conduct. It is the primary resource utilized by the CCAPP Ethics Committee and Credentialing Board for determining sanctions. However, it is not an all-inclusive document and certain circumstances may require determinations be made outside of the UDG guidelines. These circumstances may include the absence of a sanction for a specific violation, as well as mitigating or aggravating circumstances that may warrant modification of a specific sanction.

A departure from the UDG would take into consideration factors including previously imposed sanctions for the same violation, sanctions listed in the UDG for violations of similar severity/impact, and the appropriateness of the sanction based on counselor experience. Any departure from the UDG requires review and approval from both the Ethics Committee and Credentialing Board.

CCAPP Authority to Impose Consequences:

CCAPP Ethics determinations are independent of DHCS determinations. Section 13060(f), Chapter 8, Division 4, Title 9 of the California Code of Regulations specifically grants certifying organizations the authority to, "impose more stringent standards at their discretion" relating to counselor conduct. Upon determining a violation has occurred, the Ethics Committee utilizes the Uniform Disciplinary Guidelines as a guide to decide an appropriate sanction for recommendation to the Credentialing Board. In the absence of a sanction for a specific violation, the Committee must refer to previous recommendations for the same type of violation as well as existing sanctions for violations of similar nature and or impact.

The Committee may diverge from the UDG in applying a higher sanction for the following reasons: there are multiple complaints filed against the respondent within five years of the complaint; there are multiple violations substantiated during the course of the investigation; the respondent shows grave indifference to the impact of the behavior on clients or coworkers; the respondent is unwilling to accept accountability for the infraction or shows a genuine lack of ability to commit to altering future behavior in regard to the offense.

The Committee may diverge from the UDG in applying a lower sanction for the following reasons: the respondent shows genuine ignorance of the offense and no mal intent was documented, and the impact to clients or coworkers is negligible.

Committee recommendations require concurrence of a minimum of three Committee members unless a sanction is greater or less than the UDG in which case a unanimous vote is required.

Standards of Conduct:

Ethics violations are determined by the CCAPP Code of Conduct for Credentialed Alcohol and Drug Professionals and State of California AOD Counselor Code of Conduct, which include standards of conduct in accordance with Section 13060(f), Chapter 8, Division 4, Title 9 California Code of Regulations.

APPLICATION INTEGRITY

CUCC Citation	Violation Category	Minimum Sanction	Maximum Sanction
AI 1: 1., 1.a., 1.b, 1. .c., 1. d., 3.d	An applicant knowingly makes false statements on an application for initial registration or certification, or on a renewal application.	Denial of credential for not less than six months; fees forfeited.	Revocation/permanent denial of licensure, certification, or registration; fees forfeited.
AI 2: 1., 1.a., 1.b., 1.c, 1.d., 3. 3.d.	An applicant cheats or participates in cheating during a certification exam.	Denial of credential; fees forfeited. May sit for examination after one year and proof of completion of 10 hours of education in ethics.	Revocation/permanent denial of licensure, certification, or registration; fees forfeited.
AI 3: 1., 1.a., 1.b., 1.c., 1. d., 3., 3.d	Misrepresentation, in any aspect of an application, or assisting another in misrepresentation on an application.	One year suspension and proof of completion of 20 hours of education in ethics; fees forfeited.	Revocation/permanent denial of licensure, certification, or registration; fees forfeited.
AI 4: 1, 1.a., 1.b., 1.c., 1.d., 3., 3.d	Misrepresentation, in any aspect of an application for renewal, or assisting another in misrepresentation on an application for renewal.	One year suspension and proof of completion of 20 hours of education in ethics; fees forfeited.	Revocation/permanent denial of licensure, certification, or registration; fees forfeited.
AI 5: 1., 1.a., 1.b., 1.c., 1.d., 3., 3.d	Violating exam security by compromising exam integrity.	Revocation/permanent denial of licensure, certification, or registration; fees forfeited.	NA

BACKGROUND DISCLOSURE

CUCC Citation	Violation Category	Minimum Sanction	Maximum Sanction
BD 1: 2., 2.b.	Failure to disclose pending or prior criminal background or professional disciplinary action when requested to provide this information by a CO, governmental agency, or employer.	Denial of credential for not less than six months; or six-month suspension and proof of completion of nine hours of ethics; fees forfeited.	Revocation/permanent denial of licensure, certification, or registration; fees forfeited.

BUSINESS PRACTICES

CUCC Citation	Violation Category	Minimum Sanction	Maximum Sanction
BP 1: 1.	Knowingly providing on-going counseling services to a client engaged with another treatment professional without the consulting with the other professional.	Six-month suspension and proof of completion of nine hours of ethics.	Revocation/permanent denial of licensure, certification, or registration; fees forfeited.
BP 2: 1., 3., 3.d	Paying or receiving any form of compensation related to the referral of a client for treatment, i.e. fee splitting.	Six-month suspension and proof of completion of nine hours of ethics.	Revocation/permanent denial of licensure, certification, or registration; fees forfeited.
BP 3: 1., 3., 3.b., 3.d	For counselors who are assigned managerial or supervisory responsibilities: failing to provide clinical supervision to counselors, supervisees, students, interns and volunteers, who are assigned to the supervisor.	90-day suspension; proof of completion of six hours of education in ethics; and proof of completion of 40 hours of education/training in clinical supervision.	Revocation/permanent denial of licensure or certification; fees forfeited.
BP 4: 1., 3., 3.b., 3.d	For counselors who are who are assigned managerial or supervisory responsibilities: failing to properly document clinical supervision for counselors, supervisees, students, interns and volunteers, who are assigned to the supervisor.	90-day suspension; proof of completion of six hours of education in ethics; and proof of completion of 40 hours of education/training in clinical supervision.	Revocation/permanent denial of licensure or certification; fees forfeited.
BP 5: 2., 2.c., 2.d.	For counselors who are who are assigned managerial or supervisory responsibilities: exploiting relationships with supervisees, employees, students, research participants, or	90-day suspension; proof of completion of six hours of education in ethics; and proof of completion of 40 hours of education/training in clinical supervision.	Revocation/permanent denial of licensure or certification; fees forfeited.

	volunteers.		
BP 6: 1., 1.d., 3., 3.d	False, misleading, deceptive or improper advertising.	90-day suspension.	Revocation/permanent denial of licensure, certification, or registration; fees forfeited.
BP 7: 1., 1.b.	Failing to provide relevant and important aspects of the professional relationship between client and counselor during the admission process, including but not limited to, establishing a fee and payment agreement; disclosure of any circumstances that may influence the relationship between the client, participant, resident, patient and counselor; or failure to establish a time frame to address these issues if client is impaired upon admission.	60-day suspension and proof of completion of six hours of education in ethics.	Revocation/permanent denial of licensure, certification, or registration; fees forfeited.

CLIENT DISCLOSURE, CONSENT, AND RECORDS

CUCC Citation	Violation Category	Minimum Sanction	Maximum Sanction
DC&R 1: 3., 3.b., 3.c	Intentionally or maliciously falsifying and/or destroying patient/client treatment records, except as required by law.	Six-month suspension and proof of completion of nine hours of education in ethics and confidentiality.	Revocation/permanent denial of licensure, certification, or registration; fees forfeited.
DC&R 2: 3., 3.b., 3.c.	Failing to maintain documentation of services consistent with generally accepted practices.	Six-month suspension and proof of completion of nine hours of education in ethics and confidentiality.	Revocation/permanent denial of licensure, certification, or registration; fees forfeited.

CRIMINAL BEHAVIOR, OTHER BOARD DISCIPLINE

CUCC Citation	Violation Category	Minimum Sanction	Maximum Sanction
CBBD1: 2., 2.b.	Applying for any credential while awaiting the outcome of legal proceedings concerning an act of sexual abuse, misconduct, or an act punishable as a sexually related crime.	CO may delay application consideration pending outcome of investigation or trial. If convicted, revocation/permanent denial of licensure, certification, or registration; fees forfeited.	Revocation
CBBD 2: 1., 2., 2.b., 3., 3.d	Conviction of a felony act of sexual abuse, misconduct or an act punishable as a sexually related crime during the term of certification or registration.	Revocation/permanent denial of licensure, certification, or registration; fees forfeited.	Revocation
CBBD 3: 1.	Conviction of a crime substantially related to the duties, qualifications, and functions of an addiction treatment professional during the term of certification or registration.	One year suspension; proof of completion of nine hours of education in ethics; and proof of completion of 20 hours of continuing education.	Revocation / permanent denial of licensure, certification, or registration; fees forfeited.
CBBD 4: 1., 3., 3.d	Conviction of fraud substantially related to the qualifications, duties and functions of an addiction treatment professional.	One year suspension; proof of completion of nine hours of education in ethics; and proof of completion of 20 hours of continuing education.	Revocation / permanent denial of licensure, certification, or registration; fees forfeited.
CBBD 5: 1., 3., 3.d	Disciplinary action by other state or governmental agency, if substantially related to the duties of an addiction treatment professional.	Proof of correction from sanctioning board.	Revocation / permanent denial of licensure, certification, or registration; fees forfeited.

DISCIPLINARY INVESTIGATIONS

CUCC Citation	Violation Category	Minimum Sanction	Maximum Sanction
DI 1: 1., 3., 3.d	Refusal or failure to cooperate with a CO, or the Department of Health Care Services in an investigation of an alleged violation of the CUCC.	Six-month suspension and proof of completion of nine hours of education in ethics.	Revocation/permanent denial of licensure, certification, or registration; fees forfeited.

IMPAIRED ABILITY

CUCC Citation	Violation Category	Minimum Sanction	Maximum Sanction
IA 1: 1., 2., 2.e, 3., 3.d	Engaging in the practice of addiction counseling; being present where addiction treatment services are administered; failing to disclose relapse in recovery; or attending program services or activities, if impaired by, intoxicated by, or under the influence of illegal drugs, legally prescribed drugs, or alcohol.	1st Offense: Six-month suspension; if in recovery, personal letter describing treatment and/or relapse prevention efforts. 2nd Offense: One-year suspension; if in recovery, personal letter describing treatment and/or relapse prevention efforts, letter from addiction treatment program documenting successful completion of a treatment program and plan for continuing care; and proof of completion of 20 continuing education hours.	Revocation/permanent denial of licensure, certification, or registration; fees forfeited.
IA 2: 1., 2., 2.e, 3., 3.d	Buying alcohol and/or drugs for or from a client or program participant; or using alcohol and/or drugs with a client or program participant.	Two-year suspension; proof of completion of nine hours of education in ethics, and proof of completion of 40 continuing education hours.	Revocation/permanent denial of licensure, certification, or registration; fees forfeited.

<p>IA 3: 2., 2.e., 3.d.</p>	<p>Disclosure of relapse from recovery.</p>	<p>1st Offense: Four-month suspension; personal letter describing treatment and/or relapse prevention efforts.</p> <p>2nd Offense: Nine-month suspension; personal letter describing treatment and/or relapse prevention efforts, letter from addiction treatment program documenting successful completion of a treatment program and plan for continuing care; and proof of completion of 20 continuing education hours.</p>	<p>Subsequent offense: appeal to certification organization.</p> <p>Revocation</p>
<p>IA 4: 1., 2., 3.</p>	<p>Gross negligence, incompetence</p>	<p>Six month suspension; re-take and pass the CO's certification exam (certified/licensed counselors); or completion of 40 hours of core coursework toward certification (registrants).</p>	<p>Revocation/permanent denial of licensure, certification, or registration; fees forfeited.</p>

PATIENT CONFIDENTIALITY

CUCC Citation	Violation Category	Minimum Sanction	Maximum Sanction
<p>PC 1: 1., 3, 3.a., 3.d</p>	<p>Intentional or malicious break of client confidentiality.</p>	<p>Six-month suspension; proof of completion of three hours of education in ethics; and proof of completion of six hours of education in confidentiality.</p>	<p>Revocation/permanent denial of licensure, certification, or registration; fees forfeited.</p>

<p>PC 2: 1. , 3., 3.a., 3.d</p>	<p>Revealing or causing to be revealed, directly or indirectly, confidential client/patient information, including, but not limited to, a confidential communication made to an addiction treatment professional by a client, except as required by law.</p>	<p>1st Offense: Five-day suspension; proof of completion of three hours of education in ethics; and proof of completion of three hours of education in confidentiality.</p> <p>2nd Offense: 90-day suspension; proof of completion of three hours of education in ethics; and proof of completion of three hours of education in confidentiality.</p>	<p>Revocation/permanent denial of licensure, certification, or registration; fees forfeited.</p>
<p>PC 3: 1., 3., 3.a., 3.d</p>	<p>Failure to obtain informed consent to photograph, or electronically video or record a client.</p>	<p>1st Offense: Five-day suspension; proof of completion of three hours of education in ethics; and proof of completion of three hours of education in confidentiality.</p> <p>2nd Offense: 90-day suspension; proof of completion of three hours of education in ethics; and proof of completion of three hours of education in confidentiality.</p>	<p>Revocation/permanent denial of licensure, certification, or registration; fees forfeited.</p>

PATIENT FINANCIAL EXPLOITATION

CUCC Citation	Violation Category	Minimum Sanction	Maximum Sanction
FE 1: 1., 2., 2.a., 3.d	Intentional financial exploitation of a client, program participant, resident, or a family member or significant other of a client or program participant.	Six-month suspension, and proof of completion of nine hours of education in ethics.	Revocation/permanent denial of licensure, certification, or registration; fees forfeited.
FE 2: 1., 2., 2.c 3.d	Failing to terminate a professional relationship that is harmful to client.	90 day suspension; proof of completion of three hours of education in ethics; and three hours of direct clinical supervision within one week following reinstatement.	Revocation/permanent denial of licensure, certification, or registration; fees forfeited.

PRACTICING WITHOUT APPROPRIATE CREDENTIAL

CUCC Citation	Violation Category	Minimum Sanction	Maximum Sanction
PWAC 1: 1., 1.a., 1.b., 1.c., 1.d., 3., 3.d	Providing counseling services when registration or certification is required.	Prior to registration, forfeiture of all accrued work experience hours toward certification.	Revocation/permanent denial of licensure, certification, or registration; fees forfeited.
PWAC 2: 1., 1.a., 1.b., 1.c., 1.d., 3., 3.d	Providing counseling services when registration, licensure, or certification is expired.	<31 days expired, refer to certifying organization for financial penalty;>30<91 days late, 30-day suspension. >91 days <366 days, six-month suspension. > one year, revocation.	Revocation/permanent denial of licensure, certification, or registration; fees forfeited.
PWAC 3: 1., 1.a., 1.b., 1.c., 1.d., 3., 3.d	Providing services outside scope of practice defined in CCR Title IX.	1 st Offense: Proof of completion of nine hours of education in ethics. 2 nd Offense: One year suspension.	Revocation/permanent denial of licensure, certification, or registration; fees forfeited.

PROHIBITED SEXUAL BEHAVIOR

CUCC Citation	Violation Category	Minimum Sanction	Maximum Sanction
PSB 1: 1., 2., 2.a., 2.b., 2.d., 3., 3.d	Engaging in sexual conduct with a client, program participant, significant other, or resident who is currently receiving services or has received services within two years.	Revocation/permanent denial of licensure, certification, or registration; fees forfeited.	See minimum sanction
PSB2: 1., 2., 2.a., 2.b., 2.d., 3., 3.d	Engaging in sexual conduct with a family member of a client, program participant, or resident who is currently receiving services or has received services within two years, which is detrimental to the client or program participant's treatment.	Revocation/permanent denial of licensure, certification, or registration; fees forfeited.	See minimum sanction

PROHIBITED RELATIONSHIPS (NON-SEXUAL)

CUCC Citation	Violation Category	Minimum Sanction	Maximum Sanction
PRNS1: 1., 2., 2.a., 3.d.	Engaging in nonprofessional/social relationship with a client, their romantic partners, or their family members within two years of termination of counseling relationship. This applies to both in-person and electronic interactions or relationships; including, but not limited to, attending a social function together, visiting client/counselor's home, and social communications via	90-day suspension, proof of completion of six hours of education in ethics and six hours of education in boundaries	Revocation

	social media, outside of the assigned agency duties of the counselor.		
PRNS2: 1., 2., 2.c., 3.d.	Engaging in a business relationship with a client, patient, program participant, resident and/or other persons significant to them within one year termination of counseling relationship; including but not limited to buying/selling goods and/or services.	90-day suspension, proof of completion of six hours education in ethics, six hours education in boundaries	Revocation

REPORTING REQUIREMENTS

CUCC Citation	Violation Category	Minimum Sanction	Maximum Sanction
RR 1: 1., 3., 3.d	A registered, certified, or licensed AOD professional becomes aware of an alleged violation of the Uniform Code of Conduct, and the professional has a reasonable basis to believe the allegation may be true, and fails to report it to the Department and to the registered, certified or license counselor's certifying organization, within 72 hours.	Six month suspension and proof of completion of six hours of education in ethics	Revocation/permanent denial of licensure, certification, or registration; fees forfeited.
RR 2: 1., 3., 3.d	Filing a false or misleading complaint or providing false information to certifying agency or DHCS	Revocation/permanent denial of licensure, certification, or registration; fees forfeited.	See minimum sanction
RR 3: 1., 3., 3.d	Failure to report child, elder or dependent adult abuse.	Six-month suspension; proof of completion of six hours of education in ethics; and proof of completion of eight	Revocation/permanent denial of licensure, certification, or registration; fees forfeited.

		hours of education in mandated reporting.	
RR 4: 1., 3., 3.d	Failure to warn likely victims when a clear and imminent danger exists from a client.	Six month suspension; proof of completion of six hours of education in ethics; and proof of completion of three hours of education in "Duty-to-Warn" (Tarasoff) education.	Revocation/permanent denial of licensure, certification, or registration; fees forfeited.
RR 5: 1., 3., 3.d	Failure to take action when a client may inflict serious bodily harm to himself/herself.	Six-month suspension; proof of completion of six hours of education in ethics and proof of completion of three hours of education in Duty-to-Warn (Tarasoff) training.	Revocation/permanent denial of licensure, certification, or registration; fees forfeited.

UNPROFESSIONAL CONDUCT: ABUSE, DISCRIMINATION, ETC.

CUCC Citation	Violation Category	Minimum Sanction	Maximum Sanction
UC 1: 1., 2., 2.d, 3., 3.d	Verbally or physically harassing, in a non-sexual manner, a client, program participant, resident, family member or significant other of a client or program participant, or staff member of a treatment program.	90-day suspension and proof of completion of nine hours of education relevant to the nature of the offense as determined by the CO.	Revocation/permanent denial of licensure, certification, or registration; fees forfeited.
UC 2: 1., 2., 2.d, 3., 3.d	Physically abusing a client, program participant, resident, family member or significant other of a client or program participant, or staff member of a treatment program.	90-day suspension and proof of completion of nine hours of education relevant to the nature of the offense as determined by the CO.	Revocation/permanent denial of licensure, certification, or registration; fees forfeited.
UC 3:	Discriminating on the	90 day suspension and	Revocation/permanent

1., 2., 2.d, 3., 3.d	basis of a client's sex, race, ethnicity, religion, age, national origin, economic condition, sexual orientation or disability.	proof of completion of nine hours of cultural sensitivity education.	denial of licensure, certification, or registration; fees forfeited.
UC 4: 1., 2., 2.d, 3., 3.a., 3.d	Purposefully emotionally degrading a client (<i>e.g.</i> using confidential information to slander or shame) when the intention is to cause appreciable harm.	90 day suspension and proof of completion of nine hours of education relevant to the nature of the offense as determined by the CO.	Revocation/permanent denial of licensure, certification, or registration; fees forfeited.
UC 5: 1.	Knowingly referring a client to an unqualified individual.	Six month suspension; proof of completion of three hours of education in ethics; and proof of completion of three hours of education in confidentiality.	Revocation/permanent denial of licensure, certification, or registration; fees forfeited.
UC 6: 1., 2., 3., 3.d	Promoting or advocating a particular gender, cultural, or religious orientation or doctrine as part of a treatment program, except when such orientation or doctrine is an accepted part of the program's mission and client has voluntarily agreed to participate and has made this agreement known, in writing.	1 st Offense: 90-day suspension and proof of completion of nine hours of cultural sensitivity education. 2 nd Offense: 180-day suspension and proof of completion of additional nine hours of cultural sensitivity education plus nine hours of ethics education.	Revocation/permanent denial of licensure, certification, or registration; fees forfeited.