WEST VIRGINIA CERTIFICATION BOARD
FOR ADDICTION AND PREVENTION PROFESSIONALS

POLICIES AND PROCEDURES
POLICIES AND PROCEDURES

TABLE OF CONTENTS

SECTION:  
I. Organization 
2. Board Operations 
3. Office Operations 
4. Fiscal Management 
5. Personnel 
6. Ethics Committee 

APPENDICES: 
I. By Laws 
II. Approved Fees 
III. Appeal Procedures 
IV. Misrepresentation of Credential
Section 1.00. Organization

1.00 Legal Status of the Board

2.00 Board Authority

3.00 Composition of the Board

4.00 Board Powers and Duties

5.00 Staff

6.00 Fiscal Year

1.01 Legal Status of the Board

The West Virginia Certification Board for Addiction and Prevention Professionals is a voluntary board which was created by the West Virginia Association of Alcoholism and Drug Abuse Counselors Incorporated. It is a special purpose Board which exists to certify the qualifications and competence of persons who are engaged in professional service to persons suffering from alcoholism and/or other chemical and behavioral dependencies. The West Virginia Certification Board for Addiction and Prevention Professionals is a member of the International Certification Reciprocity Consortium/Alcohol and Other Drug Abuse, and, as such, adheres to its requirements for certification of addiction counselors, prevention specialists and clinical supervisors.

The West Virginia Certification Board for Addiction and Prevention Professionals hereinafter referred to as the Board, may also be referred to in documents as the WVCBAPP.

1.02 Board Authority

Board members have no authority over certification matters as individuals, except as may be authorized by action of the majority of the Board. The Board has absolute authority over certification matters within the State of West Virginia. Board members, by their seat on the Board, are given authority to make decisions regarding certification matters.

1.03 Composition of the Board

The Board shall consist of the members as defined in the By-Laws.

1.04 Board Powers and Duties

Board powers and duties are those which are spelled out in the By-Laws.

1.05 Staff
Independent contractors may be employed by the Board as staff, to carry out special functions. They shall be directly responsible to the Board and reimbursed at a rate agreed to by the Board. The President of the Board will be the designated supervisor of all independently contracted staff, and may designate such supervisory duties to other Board members as appropriate.

1.06 Fiscal Year

The fiscal year is that period of time commencing October 1 and ending September 30 of the next calendar year.

Section 2.00--Board Operations

2.01 Operation of the Board

2.02 Internal Organization

2.03 Meetings

2.01 Operation of the Board

The Board will conduct its business in accordance with its By-Laws and the various state and federal statutes which apply to not-for-profit corporations whether specifically itemized in Board policies or not.

[1] Equal Opportunity

The Board recognizes that equal opportunity is fundamental to equality in all forms of human endeavor. Therefore, all Board administrative and staff policies, practices, and procedures will be non-discriminatory as required by the Americans With Disabilities Act and other State and Federal laws.

2.02 Internal Organization

The officers of the Board shall be elected in compliance with the By-Laws.

[1] Duty of Officers

The duties of officers shall be in compliance with the By-Laws.

[2] Board Member Development

All Board members must be familiar with the procedures used by the Board for Counselors, Prevention, Clinical Supervision, and Criminal Justice certification, and an orientation shall be provided by the Board for newly elected or appointed Board members. Board members will sign the Code of Ethical Conduct For Board Members when elected to or appointed to the Board and this will be kept in the office file.
[3] Board Member Reimbursement

Members of the Board may be reimbursed for food, lodging, travel, and other miscellaneous expenses incurred while on business of the Board. This reimbursement must be approved by the Executive Committee of the Board and may not exceed the expense allowance as set forth in the budget. The mileage rate will be set according to the current federal rate.

[4] Board Committees

The Board, in order to expedite its work, may establish standing committees or may act as a committee of the whole.

A. Standing Committees

[1] The following are standing committees of the Board:
   a. Addiction Counselor Credentialing Committee
      This committee is responsible for all correspondence with the applicants during the certification period. This committee is responsible for the review of portfolios and the accomplishment of the written test and oral interviews.
   
   b. Prevention Specialist Credentialing Committee
      This committee is responsible for all correspondence with the applicants during the certification period. This committee is responsible for the review of portfolios and the accomplishment of the written test.
   
   c. Clinical Supervisor Credentialing Committee
      This committee is responsible for all correspondence with the applicants during the certification period. This committee is responsible for the review of portfolios and the accomplishment of the written test.
   
   d. Criminal Justice Credentialing Committee
      This committee is responsible for all correspondence with the applicants during the certification period. This committee is responsible for the review of portfolios and the accomplishment of the written test.
   
   e. Re-certification Committee
      This committee is responsible for all correspondence with the applicants during the re-certification period. This committee is responsible for the review of re-certification applications, making sure all documentation for Continuing Education is present in audited packets.
f. Ethics Committee
This committee is responsible for review of all ethical issues regarding the professional practice of addiction counselors, prevention specialists and clinical supervisors.

g. Continuing Education Committee
This committee is responsible for the development of materials related to continuing education for certified professionals. This committee will review all applications for continuing education hours by sponsors, individuals and approved providers.

g. [1] Continuing Education Approved Provider Status

It is the policy of the West Virginia Certification Board for Addiction and Prevention Professionals (WVCBAPP) that approved provider status shall be conveyed to agencies, programs or individuals who demonstrate the capacity to conduct and provide professional development events that enhance the knowledge, skills and abilities of addiction and prevention professionals. Approved provider status will permit the agency, program or individual to conduct professional development events/training for which professionals are eligible to receive continuing education hours to be applied toward re-certification requirements.

The approved provider status will remain in effect for three (3) years, at which time a new application for approved provider status will be completed. The applicant for approved provider status will do the following:

[A] Complete and submit the approved provider application form and a fee of $300 made payable to WVCBAPP.

[B] On the form, name a Alcohol and Drug Counselor, a Certified Prevention Specialist II, or a Criminal Justice Addictions Professional who will be charged with reviewing training events to assure adherence to practice consideration, 12 Core Functions, Counselor Skills and Knowledge Areas, and Prevention Performance Domains and Skills and Knowledge areas as delineated in the certification manuals and the approved provider application form.

[C] Submit sample documentation of at least three prior presentations sponsored by the agency, program or individual in the past. The samples should include: agendas; curriculum vitae or professional resumes of presenters; methods of participant evaluation; methods of recording attendance.

[D] Notify WVCBAPP whenever the named ADC, CPSII, or CCJP reviewing the training changes.

[E] Complete and submit a description for each sponsored event within 30 days of the event. WVCBAPP will review completed applications and notify applicants of approved provider status by mail within 30 days of application.
B.  Ad hoc Committees

a.  Appeals Committee

The Appeals Committee is made up of three (3) Board members chosen alphabetically from the current list of Board members. The first three persons on an alphabetical list comprise an Appeals Committee. They will hear no more than one appeal. A second appeal would be heard by a new committee made up of three (3) Board members from the same alphabetical list, starting from the second person on the list. In case of a personal conflict, substitutions may be made by the President of the Board. The Board, as a whole, may also serve as the committee.

[2]  Operating Procedures

a.  The President shall appoint chairpersons for each of the above committees, as well as designate Board members to serve on that committee. Committee members may be added from outside the Board. The chairperson of each committee shall establish annual goals for that committee prior to the Annual Retreat. At the Annual Retreat, those goals will be reviewed and approved;

b.  All appointments shall be for the term of one (1) year;

c.  Any vacancy shall be filled in the same manner as the original appointment;

d.  All committees may call upon the staff to obtain the necessary information to enable the committee to function effectively;

e.  The chairperson or designee shall prepare a written or oral report on committee activities for each Board meeting.

f.  The written summary of the yearly activities shall be presented at the Annual Retreat as a part of the annual plan.

2.03  Meetings

[1]  Meeting dates for the Board will be established on a yearly basis. Those meetings shall be set during the annual meeting.

[2]  A schedule of all Board meetings will be distributed to the Board members.

[3]  The Board must meet at least two times a year as per the By-Laws. A quorum shall consist of a majority of the Board members. A decision shall be made by a majority
of those present.

[4] The meetings of the Board shall be held in compliance with the By-Laws.

[5] The President shall preside at Board meetings and in his or her absence, the President-Elect may preside. In the absence of the Secretary, the Board may select another member to act as Secretary of the meeting.

[6] No motion to hold a closed session or to recess an open meeting into a closed session shall be adopted unless the President announces to those present at the meeting at which such motion is made, the general nature of the business to be considered at such a closed session. No other business will be taken up at such closed sessions. The President shall also announce the approximate time the Board anticipates to reconvene to an open meeting.

[7] The President shall prepare an agenda for each Board meeting and shall send it to each Board member at least 14 days prior to the meeting.

[8] Minutes of all Board meetings shall be taken by the Secretary or designee and distributed to all the Board members prior to the next Board meeting.

   a. Meetings shall follow generally accepted rules of order.
   b. Regular and special Board meetings shall be open to the public except when the Board recesses to closed session for valid purposes.
   c. The Board shall provide an opportunity for individuals and organizations to appear and address the Board at every meeting. There must be written notice 21 days in advance for someone wanting to attend.

**Section 3.00 Office Operations**

3.01 Certification

3.02 Recertification

3.03 Reciprocity

3.04 Financial Procedures

3.05 Miscellaneous Procedures
3.06 Continuing Education Approved Provider Status

3.01 Certification

Certification is a process which is broken down into two essential steps: Portfolio Review and Written Exam or Computer Based Exam.

[1] Portfolio Review

All applicants must apply to the West Virginia Certification Board for Addiction and Prevention Professionals for an application packet. Packets will be available on line or by contacting the certification board office. Packets will consist of yearly standards for certification, i.e. Certification Manual, Certification Application, practical experience outline, and a Code of Ethics brochure. All application packets and fees are due in the Board office for portfolio review and must be received 60 days prior to the IC&RC scheduled test date. Applications must be on current forms. No applications will be accepted on old forms. Applications received in the office will be filed in pending applications. All data regarding an applicant’s portfolio will be filed in his or her file and a portfolio will be considered open upon receipt of the formal application and appropriate fees. No other receipt of forms will render a portfolio open without formal application being made. Applications are reviewed by the Board or Board committee. Complete applications will be acknowledged and an invitation to sit for the written or computer based exam will be issued to those individuals; if an individual submits a certification portfolio but fails either to take the written/CBT test, or to pass the written/CBT test, the portfolio will not be valid after four years. An applicant must then obtain a new application and submit all new documentation for his/her portfolio, and pay the appropriate fees.


The written tests are held up to four times a year in accordance with dates set by IC & RC. A location is reserved in advance for this test. The location must be suitable for giving a written test. All eligible applicants are notified at least two weeks prior to this test. Applicants must register at least one half hour before test time. All application fees and written test fees must be paid prior to taking the written test. Passing scores for the written tests are established by IC&RC.

Computer Based Test Procedures

The computer based tests are held up to four times a year in accordance with dates set IC & RC. The testing sites have been designated throughout the state as set by testing company and are suitable for giving the computer based test. All eligible applicants who have chosen to take the computer based test will be pre-registered for the test three weeks prior to the test date. All application fees and computer based test fees must be paid prior to taking the computer based test. Passing scores for the computer based test are established by IC & RC.
[3] **Post Interview Procedures**

The Board will prepare certificates and credential cards for new applicants as well as new expiration stickers and new cards for re-certified counselors. A yearly alphabetical list will be prepared of credentialed Counselors, Prevention Specialists and Clinical Supervisors. All will be assigned a five digit identification number. The first two digits will represent the original year of credentialing of that certified professional. The last three digits which follow a dash (-) will be assigned as follows: If the first digit following the dash (-) is a one (1), it will indicate that the individual is a Counselor certified at the ADC level. If the first digit following the dash (-) is a three (3), it will indicate that the individual is a Counselor certified at the AADC level. Counselors whose first digit following the dash (-) begins with a four (4) will be those who began their certification in West Virginia through reciprocity. If the first digit following the dash (-) is a five (5), the individual holds the Certified Prevention Specialist II credential, and if the first digit following the dash (-) is a six (6), the individual holds the Certified Prevention Specialist I credential. Counselors whose first digit following the dash (-) begins with a seven (7), the individual holds the Certified Criminal Justice credential.

[4] **Award of Certification**

All certificates will be awarded once test results are received. All newly certified professionals will be recognized for their achievement at the Annual Awards Banquet at the Fall Conference, sponsored by the West Virginia Association of Alcohol and Drug Counselors. All newly certified professionals will receive a certificate and a wallet card. Standards for re-certification are found in the various certification manuals.

3.02 **Re-certification**

[1] All addiction professionals must re-certify every two (2) years by completing a re-certification application documenting 40 hours of continuing education units. In May or June of each year, re-certification applications will be mailed to all certified individuals who are due to re-certify in that year. Certified Counselors must document at least 6 hours of addiction-specific training. Certified Prevention Specialists must document at least 6 hours of prevention-specific training. Certified Clinical Supervisors must document at least 6 hours of supervision-specific training. Certified individuals must submit a completed re-certification application packet with appropriate fees, postmarked by August 30th of the re-certification year. Applications will be reviewed by the re-certification committee and letters will be sent out to applicants advising them of their re-certification status. All re-certified individuals will be acknowledged at the Annual Awards Banquet. Letters or cards with stamps to update certificates will either be sent in the mail or given to re-certified
professionals at the Annual Banquet.

[2] **Late Fees:**

A late fee of $75 is charged to any re-certification applicant if the application has not been postmarked by August 30th.

[3] **Inactive Status:**

A. Once a certified professional fails to submit the re-certification packet by September 30th of the year in which he/she is supposed to re-certify, the credential is considered to be “inactive” and may not be used until re-certification is obtained. The individual may not identify him/herself as a Certified Prevention Specialist (CPSI or CPSII), Alcohol and Drug Counselor (ADC), Counselor in Service (CIS), Advanced Alcohol and Drug Counselor (AADC), Certified Clinical Supervisor (CCS), or Certified Criminal Justice Addiction Professional and must notify his/her employer of the inactive status of the credential in question. Since the Certified Clinical Supervisor (CCS) credential requires that the individual holds an active ADC credential, one’s CCS will also become inactive if the ADC or AADC credential becomes inactive.

B. The individual can regain his/her credential up to 90 days past the expiration date by completing the re-certification process and paying all late fees ($75.) After the 90 day period, your certification will be null and void and the individual will have to re-apply, complete all certification paperwork and take all tests in order to be re-certified.

[4] **Equivalence of College and University Credits:** One (1) college credit hour = 15 CEU’s.

[5] **In-house (intra-agency) training:** The maximum hours of within agency (in house) training allowed to be used toward recertification are 20.

[6] **Credit for Providing Training:** Individuals who teach classes, workshops, etc. 2 hours are credited for one hour of teaching up to a maximum of 50% of the total CEU’s required for recertification of the specific credential. (e.g.: a six-hour workshop would count for 12 hours of credit.)

**3.02B Emeritus Status**

The Emeritus Status Certification is a specialized category for an active Advanced Alcohol and Drug Counselor (AADC); Alcohol and Drug Counselor (ADC); Clinical Supervisor (CS); Certified Criminal Justice Professional (CCJP) and Prevention Specialists (PS) who hold a valid certification under the WV Certification Board for Addiction and Prevention Professionals.
Requirements for Emeritus Status Certification

- In good standing;
- Have at least twenty (20) years experience in the addiction field, of which 15 has been as an AADC, ADC, CCJP, CS or PS;
- Have retired from full-time work;
- May work part-time, not to exceed twenty (20) hours per week of paid employment;

Recertification for the Emeritus Status Certification

- Apply for recertification every two (2) years affirming they still meet the above criteria;
- Agree to abide by the current addiction code of ethics;
- Pay a recertification fee $75 for AADC, ADC, CCJP, PS and $25 for the CS;
- Does NOT need to meet Continued Education requirements

3.03 **Reciprocity**

[1] West Virginia addiction and prevention professionals seeking reciprocity in other states must obtain an ICRC reciprocity application from the WVCBAPP office. This form must be submitted along with a $100.00 fee made payable to IC&RC, to the WVCBAPP office for verification. The WVCBAPP office will verify their certification and send the application and fee to IC&RC. IC&RC in turn, sends the reciprocity application the state to which the professional is applying. Upon receipt of the copy of the application from IC&RC, the new board must issue a certificate to the certified professional.

[2] For professionals in other states wishing to receive reciprocity in West Virginia, the Board will receive an approval letter with copies of the reciprocity application from the ICRC office. At that time a certification number will be assigned to the individual according to the following policies: The certified professional will be assigned to the year in which reciprocity was obtained. A portfolio will be made up for him/her with information received from IC&RC and the professional will be notified of his/her certification in West Virginia. He/she will then be put on the certification list for that year and sent information regarding re-certification requirements.

3.04 **Financial Procedures**

Two hundred and fifty dollars ($250) is kept in the petty cash box at the office for any small office supplies, postage, etc. The office administrator sends the Board Treasurer a monthly statement, with copies of receipts, and explanations for reimbursement.

3.05 **Miscellaneous Procedures**
[1] **Board Membership**

Board composition is described in the By-Laws, Article III, Section 2.

[2] **New Board Members**

New Board members are given a Board book which includes By-Laws, minutes of the last two meetings, and a current list of Board members. Each new member will sign the Code of Ethical Conduct For Board Members.

**Section 4.00 Fiscal Management**

4.01 **Annual Operating Budget**

The Treasurer shall prepare annually an operating budget to be presented during the annual retreat. This budget shall be voted upon by the full Board.

4.02 **Revenues**

The Board shall obtain the necessary revenues for conducting the business of the Board. All fees may be set by the Board as needed.

4.03 **Depository of Funds**

The Treasurer in correspondence with the President shall designate the institution(s) which will serve as the depository of funds. All checks must be signed by the Treasurer or designated Board member. The Treasurer shall keep the full Board appraised of the financial status of the Board.

4.04 **Accounting, Reporting and Audit**
A system of accounts shall be maintained. These will provide an accurate record of receipts and expenditures in accordance with generally accepted accounting practices and procedures.

The Treasurer shall be responsible for maintaining a record of receipts and expenditures. He or she shall then submit to the Board a quarterly report of receipts and expenditures. Such quarterly report shall be approved by the Board at regular meetings.

The Board shall review and approve the following:

a. The general program operating budget;
b. All single expenditures totaling $500.00 or more;
c. Equipment rental and/or purchase agreements;
d. Equipment purchases.

The Board shall grant authority to the Treasurer to promptly make payment for all expenses which are covered in the line item budget approved annually.

Accounting system records, (journals, ledgers, check registers, canceled checks, bank statements, etc.) shall be kept indefinitely.

The Board shall provide for a financial review or formal audit on an annual basis.

4.05 Purchasing Goods and Services

The Board shall be responsible for purchasing and/or contracting for all goods and services in order to accomplish its goals.

All capital expenditures over $500.00 will receive prior approval by the Board and will be documented in the minutes.

All purchases shall be made from the companies offering the most reasonable prices consistent with quality and service.

Whenever possible, competitive quotations shall be sought when quantity or cost involved warrant such action.

4.06 Contracting Services and Request for Proposals

The Board shall provide for an advance of funds payment to an employee or other duly authorized representative of the Board whose responsibilities or activities are on behalf of the
Board or who will be incurring personal expenses to accomplish such activities.

4.07 **Advancing of Funds**

The request must be submitted in writing two (2) weeks prior to the anticipated date of incurring this expense.

4.08 **Dissolution of Board**

If the WV Certification Board for Addiction and Prevention Professionals is dissolved the monies and assets are to be distributed to IC&RC to continue the mission of certification globally.

**Section 5.00 Personnel**

5.01 Personnel shall be hired on an independent contractor basis, based on number of hours needed, or based upon the required task. Should needs and funds provide for full time staff, full personnel policies will be developed at that time.

**Section 6.00 Ethics**

6.01 **WVCBAPP Ethics Committee Policy and Procedure Statement**

[1] **Policy**

It is the policy of the WVCBAPP to promote and safeguard the quality, effectiveness and competence of professional alcoholism and drug abuse counseling, therapy, prevention and service to the client, through the insistence of adherence to its Code of Ethics by all WVCBAPP certified professionals. The primary goal of treatment and prevention is recovery for the client and/or the family and prevention of at risk behaviors.

[2] **Purpose**

The committee shall develop and recommend a Code of Ethics for adoption by the Board of Directors. When adopted, the Board shall cause to be circulated copies of said ethics to all certified counselors, prevention specialists, clinical supervisors and applicants. The committee shall have jurisdiction over all matters of violation and misconduct by all certified professionals. It shall immediately and thoroughly investigate such charges and shall make recommendations to the Board of Directors for appropriate action.

[3] **General**
The Ethics Committee will investigate breach of ethics complaints against certified individuals using the following guidelines:

a. Insure that factual information is obtained by making judgments concerning individual certified professionals;

b. Permit both parties to a complaint the opportunity of a hearing before the Ethics Committee to explain their positions;

c. Make appropriate recommendations to the WVCBAPP Board in matters relating to disciplinary action; In instances where the Committee concludes that a violation is unsubstantiated, the complaint will be dismissed at that time, and the Board will be so advised;

d. Publish results of investigations of breach of ethics as deemed necessary, with the approval of the WVCBAPP Board and within acceptable standards of confidentiality;

e. Investigate and conclude complaints of ethics violations within 90 days after the complaint is received in writing by the Ethics Committee Chairperson.

[4] Composition of Ethics Committee

The Ethics Committee shall consist of five (5) members, all of which must be Certified Addiction Professionals; three (3) of the committee will be members of the Certification Board selected by the President of the West Virginia Certification Board for Addiction and Prevention professionals for a term on the Ethics Committee to run concurrently with their term on the Certification Board. Two members of the Committee will be Certified Professionals, not members of the Certification Board. They will serve terms of two (2) years.

[5] Selection of the Ethics Committee

Selection of Ethics Committee members will be made, as much as possible, based on geographic location, so that all areas of the state will have access to an Ethics committee member. The chairperson of the Ethics Committee will be selected by the President of the Board.

[6] Authority

The Ethics Committee is not empowered to take direct administrative action.
The Committee’s authority is solely investigatory and advisory, and direct action is taken by the full WVCBAPP.

**Procedure**

The following procedures will be used by the Ethics Committee to investigate alleged breaches of ethics:

a. Complaints may be received orally, but the complainant must document the complaint in writing before the Committee will take action and before the complaint will be “officially” recognized.

b. The Chairperson of the Ethics Committee shall, within ten (10) days of written receipt of a complaint, acknowledge receipt of it in writing to the complainant by certified mail, return receipt requested.

c. The Chairperson of the Ethics Committee will advise the complainant that he/she must agree to appear before the Committee to provide personal knowledge and/or other evidence to support the complaint, if necessary. The complainant will also be urged to respect the confidence and/or privacy of those involved who are not automatically protected by confidentiality mandates.

d. If the complainant agrees to appear before the Committee and appears cooperative, proceed to item e. If the complainant is unwilling to appear or is uncooperative, the complaint cannot proceed.

e. The complainant will be advised that his/her name will be disclosed to the person accused of unethical conduct along with the specific charges. This action will always be discussed with the complainant before any disclosure will be made to the accused person.

**Ethics Committee-Investigation**

The Ethics committee will conduct an investigation, gathering information from:

a. The person accused of unethical conduct.

b. Peers, fellow workers and/or family members, if appropriate.

c. Employers, if appropriate.

d. Every effort will be made to protect the confidentiality of the investigation and the person being investigated. It is important to
note that the protection of the client takes precedence over all other issues at hand.

e. The Ethics Committee may conduct a hearing requesting that the person accused of unethical conduct and significant others, as appropriate, be present. Such hearing will be held no less than 15 days nor more than 60 days after the date the Committee determines that a hearing shall, in fact, be held. If at any point in the process after a complaint has been filed, the Committee finds that no ethical violation can be substantiated, the investigation will be concluded, the complaint dismissed and the Board will be advised.

f. At the time of the hearing, if it is determined that the action shall be dismissed, a written summary of the proceedings will be mailed to the complainant, as well as the accused individual. A copy of the proceedings shall be filed with the WVCBAPP.

g. Should unethical conduct be viewed by the Ethics Committee as behavior resulting from inappropriate alcohol use, alcoholism, drug use, drug addiction, brain disorders, psychological, or other health problem, the member will be expected to address his/her impairment and will be referred accordingly. In such a case the Ethics Committee shall:

1. Recommend to hold further action in abeyance pending the outcome of treatment (as determined by documentation or testimony from the treating professional(s)); or,

2. Make necessary and appropriate recommendations for disciplinary action to the Board if the member refuses to access appropriate assistance for his/her impairment, or to follow through with treatment recommendations once accessed.

[9] Disciplinary Process

a. Disciplinary actions will be based on an act or acts of substantial violation of the Professional Code of the West Virginia Certification Board for Addiction and Prevention Professionals. Interpretation of the word “substantial” will be made by the Ethics Committee, based upon the actual or probable consequences of the violation(s).

b. If, at the conclusion of its investigation, the Ethics Committee finds that the violation warrants sanctions against the member, a recommendation will be made to the Certification Board for one of the following disciplinary actions:
1. **Denial of Certification**: The denial of certification/re-certification application will not be less than one (1) year. Application may be made to the WVCBAPP through the Ethics Committee for certification/re-certification after the specified time period of no less than one (1) year. Any applicant who has his/her application denied and has reapplied for certification/renewal, must bear burden of proof. This means that the applicant must show proof that he/she has been functioning in his/her professional capacity in an ethical and professional manner during the period of denial set by WVCBAPP. If WVCBAPP does not find that substantial evidence has been provided that the counselor has been performing in an ethical and professional manner, certification/re-certification shall be denied.

2. **Suspension of Certification**: A suspension of the certification of a CCS, AADC, ADC, CIS, CCJP, CPSI or CPSII may be exercised by the Board. The length of suspension to be no less than one (1) year, as recommended by the Ethics Committee based on the severity of the violation(s). Application may be made to the WVCBAPP (through the Ethics Committee) for reinstatement after the specified time period. Any Certified professional who has his/her certification suspended and who applies for reinstatement must bear the burden of proof that he/she has been functioning in his/her capacity in an ethical and professional manner during the period of suspension. Prior to restoration of certification, the Ethics Committee will review the case to determine whether to reinstate, revoke or continue suspension. After review of the case, the Ethics Committee will make a recommendation to the WVCBAPP.

3. **Revocation of Certification**: The permanent removal of credentials.

4. **Voluntary Suspension**: If a Certified professional feels that he/she should not continue to practice, or if it is suggested by the Ethics Committee that he/she consider voluntary suspension, then that person can choose to voluntarily relinquish his/her certification. This will occur through mutual agreement between the individual, the Ethics Committee and WVCBAPP. An appropriate time period should not exceed one (1) year for the voluntary suspension and will be agreed upon by all parties. Prior to the end of the suspension period, the Ethics Committee will review the case to determine whether certification will be reinstated. Burden of proof of ethical behavior will lie with the suspended professional. After review of the circumstances, the Ethics committee will make recommendations to the WVCBAPP.

5. **Censure**: Censure of a certified professional may be invoked at the discretion of WVCBAPP in respect to a violation not deemed severe
enough to warrant denial, suspension, or revocation of certification. Censure may occur without reference to time or may be invoked for no longer than on (1) year. Censure shall automatically be lifted if said professional qualified for, and is granted, recertification. Censure includes a reprimand which is a formal written reproof or warning.

6. **Other:** Any disciplinary action deemed appropriate by the WVCBAPP which does not fit into one of the other categories.

[10] **Publication of Disciplinary Action**

Any disciplinary action taken by the West Virginia Certification Board for Addiction and Prevention Professionals will be published, in accordance with item 3.d. above.
7.02 WVCBAPP Code of Ethical Conduct for Board Members

WEST VIRGINIA CERTIFICATION BOARD FOR ADDICTION AND PREVENTION PROFESSIONALS

CODE OF ETHICAL CONDUCT FOR BOARD MEMBERS

1. I shall not seek Board or committee position nor serve on the Board or its committees for pecuniary reasons or for personal gain or profit.

2. I shall not advertise, promise or provide special treatment to any individual because of my position on the Board or its committees.

3. I shall not divulge the content of the certification written exam(s) other than by the ordinary administration or reconstruction of the exam(s).

4. I shall comply with the WVCBAPP Board Code of Ethical Conduct for WVCBAPP representatives and procedures for disciplinary action.

5. I shall uphold the WVCBAPP by-laws, policies and procedures.

6. I accept the jurisdiction of the Ethics and Executive Committees to enforce and rule upon these standards of conduct for the members of the Board.

7. I accept that it is my responsibility to contact, in advance, when possible, the Ethics Committee of the WVCBAPP for discussion of any issue which the above ethical statements do not provide clear directive.

8. Alleged violations of Board Member Code of Ethical Conduct shall be evaluated by the Ethics Committee. Should the violation be substantiated, the Board may censor the individual or terminate the individual’s membership on the Board.

_________________________________________________
Board Member Signature
APPENDIX I

BY-LAWS OF THE WEST VIRGINIA CERTIFICATION BOARD
FOR ADDICTION and PREVENTION PROFESSIONALS, INC

Article I. Name and Location

Section 1. The name of this corporation shall be the West Virginia Certification Board for Addiction and Prevention Professionals.

Section 2. The principal office will be located within the current borders of the state of West Virginia, and may be moved within WV at Board’s sole discretion. The Board may also establish satellite offices at other locations within WV as it may determine the corporation requires.

Article II. Purpose

Section 1. To certify the qualifications and competence of individuals engaged in, or preparing for a professional career in addictions.

Section 2. To provide information on certification and re-certification activities throughout the state of West Virginia.

Section 3. To provide approval for continuing educational offerings.

Article III. Directors

Section 1. The business and property of the corporation shall be managed and controlled by the Board of Directors in accordance with the provisions of these By-laws.

Section 2. The number of Directors of the corporation shall not exceed fifteen (15). Each director shall have one (1) vote. The Board of Directors shall consist of:

a. Eight Board members shall be certified as Addiction Professionals in the state of West Virginia.

b. One Board member, not required to be a certified addictions counselor, shall represent the public sector.

c. The West Virginia Association of Alcoholism and Drug Abuse Counselors shall designate one Board member to serve a two (2) year term as an ex-officio Director.

d. The President of this Corporation shall appoint, with ratification of the Directors, a director to serve a two year term as an ex-officio director of the West Virginia Association of Alcoholism and Drug Abuse Counselors.

Section 3. Members of the Board of Directors shall be elected at any official board meeting.

a. Members of the Board shall be elected by a majority vote of the directors. Candidates for membership shall be generated by a self-nominating process.

b. Any vacancy on the board occurring during a term of office shall be filled for the unexpired term by the Directors then serving at a regular or special meeting of the Board.

c. Directors shall be elected to a term of three (3) years.

d. No director shall be elected to more than two consecutive terms (6 years) or serve more than a total of eight (8) consecutive years. However, the board, at its discretion may recognize
uniquely valuable services provided to the board by a specific board member by appointing
him/her to serve additional time on the board.

e. Any individual wishing to resign as a Director shall give written notice of such to the
   Board.

f. Any Director missing two consecutive meetings may be subject to removal from office by
   the Board of Directors.

h. Directors shall not receive any salary for their services, but by resolution of the board, may
   receive a reasonable sum for expenses related to attendance at board meetings or other
   authorized Board functions.

h. Any Director may be removed from office by the affirmative vote of two-thirds of all
   directors at any regular or special meeting. Removal may be for nonfeasance, malfeasance,
   misfeasance, conduct detrimental to the interests of the corporation, lack of sympathy with the
   corporation’s objectives, or refusal to render reasonable assistance in carrying out the
   corporation’s function. Any Director proposed to be removed shall be entitled to a minimum
   of the (10) days notice in writing of the date and location of such meeting and shall be entitled
   to appear before the Board of Directors at such meeting.

Article IV. Officers

Section 1. The officers of the corporation shall be President, President-elect, Secretary, and
   Treasurer.

Section 2. All officers shall be elected by the board of Directors from among its membership at
   the annual meeting.

Section 3. All terms of office are two years with two consecutive terms in one office the
   maximum allowable. However, the board, at its discretion may recognize uniquely valuable
   services provided by a specific officer by appointing him/her to serve additional time as an officer
   of the board.

Section 4. In case any office is vacated, the majority of the Board of Directors shall elect an
   officer to fill such vacancy.

Section 5. The President shall preside at all meetings of the Board of Directors. The president
   shall have and exercise general charge and supervision of the affairs of the corporation and shall
   perform other duties as assigned by the Board.

Section 6. At the request of the President, or in the event of absence or disability, the President-
   elect shall perform the duties and exercise the powers of the President. The President-elect shall
   perform other duties as assigned by the Board.

Section 7. The Secretary shall have charge of all such books, documents, and papers as the Board
   of Directors may determine necessary.

Section 8. The Treasurer shall have custody of all funds, property or securities of the corporation,
   subject to such regulations as may be imposed by the Board of Directors. When necessary or
   proper, the Treasurer shall endorse on behalf of the corporation for collection, checks, notes, and
   deposit the same to the credit of the corporation at such bank as designated by the Board of
   Directors. The Treasurer shall make payments as necessary on behalf of the corporation, enter
   regularly on the books of the corporation a full and accurate account of all monies and shall report
   on a regular basis to the Board of Directors regarding the assets of the corporation. The Treasurer

WVCBAPP POLICIES & PROCEDURES  PAGE 23  07/2014
shall, in general perform all duties related to the office of Treasurer, subject to the control of the Board of Directors.

Article V. Meetings

Section 1. The Board of Directors shall hold a minimum of two business meetings per year, one of which shall be designated as the annual meeting.

Section 2. The holding of one board meeting in conjunction with the annual membership meeting of the WV Association of Alcohol and Drug Abuse Counselors is preferred whenever feasible but may be modified at the Board’s sole discretion.

Section 3. Special meetings of the Board may be called by the President and must be called when requested in writing by one-third of the Directors.

Section 4. Notification of all board meetings may be made via the U.S. Postal Service, other reputable ground carrier, e-mail message and/or any other current/future commonly recognized form of communication as determined by the Board.

Section 5. At all meetings of the Board of Directors, a majority of the elected Directors shall constitute a quorum for the transaction for business.

Section 6. All meetings of the Board of Directors shall be conducted by Roberts’ Rules of Order.

Article VI. Amendments

Section 1. The Board of Directors shall add, alter, amend, or repeal the By-Laws of this corporation by the affirmative vote of two-thirds of the elected Board provided the proposed action is presented at a scheduled meeting of the board and adopted at the subsequent meeting of the Board. All certified addictions professionals in West Virginia shall be notified in writing of any proposed By-law changes 30 days prior to the vote for adoption.

Section 2. The board, at its sole discretion may update specific information contained in the bylaws whenever said information has become obsolete, inaccurate, and/or irrelevant.” Such updates include (but are not necessarily limited to): typographical errors, current fee schedules, current credential names/acronyms, name/contact information for the board, and the credentialing process. Such updates require the affirmative vote of a quorum at any official board meeting but do not require the prior notification of each credential holder in WV.

Article VII. Committees

Section 1. The Chairs of all board Committees shall be appointed by the President and ratified by a vote of the Board of Directors.

Section 2. The Chair of each Board standing committee shall be a Director while committee membership may include other Directors and/or certified addiction professionals in the State of West Virginia who are not a Director of the corporation.

Section 3. Each credential offered by the board will have a committee as deemed necessary and appropriate by the board.

Article VIII. Fees
Section 1. All fees shall be established by the Board of Directors. All fee changes approved by the Board will be communicated through timely updates to the Corporation’s website.
Appendix I
Appeal Procedure

1. An individual desiring to appeal a decision regarding certification or recertification status must do so in writing, addressed to the President of the West Virginia Certification Board for Addiction and Prevention Professionals within thirty (30) days of the postmark of the announcement of the certification status being appealed. This letter must include the following:
   a. The specific decision being appealed.
   b. The outcome desired.
   c. The justification for the outcome.

2. The review committee will review the appeal and all appropriate data. The President will respond to the appeal letter within thirty (30) days with a letter clearly stating the action taken by the review committee regarding the outcome. The review team will be chosen from an alphabetical listing of the Board members on a rotating basis. Board members not participating in the original evaluation or decisions would comprise the committee. Rotation of members will occur with each new appeal. The Board as a whole may function as the committee.

3. If the applicant is not satisfied with the review committee’s response at this point, he/she may request a personal appearance before the Board. This appearance must be requested in writing within thirty (30) days of the receipt of the initial appeal response from the review committee. This appearance must be held within sixty (60) days of the written request.

4. The applicant may be accompanied to this personal appearance by a person of his/her choice. However, it should be noted that the appeal interview is not a re-test. It is a review to determine whether the Board acted in an arbitrary or capricious manner.

5. The applicant may present information to the Board to demonstrate that the decision rendered by the Board was arbitrary and capricious.

6. A set time allowance for presentation of information will be established prior to the beginning of the appearance.

7. The applicant will be notified in writing within seven (7) days of the Board review.
Appendix II
Misrepresentation of Credentials


Any report of misrepresentation of credentials will be investigated by the Certification Board. Misrepresentation includes verbal or written use of the Credentials CAC, CIS, CPS-I, CPS-II, or CCS in the State of West Virginia by a person who has not earned such, either through the application/examination process or through reciprocity.

Reports of misrepresentation of credentials by those not credentialed by the WCVBAPP will be handled in the following manner:

1. Any report of misrepresentation of credentials will be forwarded to the appropriate Certification/Credentialing Committee of the Certification Board.
2. The committee will contact the named individual through registered mail with documentation of the alleged misrepresentation. 1) inquiring about such representation and: 2) informing the individual of both application and reciprocity process. This letter will request a response to the Board within thirty (30) days.
3. If the individual continues to misuse such misrepresented credential, a second notice will be sent by registered mail to the individual asking that he/she stop using the unearned credential, and will inform the individual that a third notice would be sent to his/her employer.
4. If the individual continues to misuse the credential, a third notice will be sent by registered mail to him/her with a copy to his/her employer notifying him/her that continued misuse will be published as such in The Professional Contact.
5. If the individual continues to misuse the credential, publication will be made in The Professional Contact.
6. If the individual is a member of WVAADC or any other professional association, consideration of filing an ethics complaint will be made.
7. Other issues, such as utilization of a credential earned in a non-reciprocal state will be addressed on a case by case basis.