

NOTICES OF EXEMPT RULEMAKING

The Administrative Procedure Act requires the *Register* publication of the rules adopted by the state's agencies under an exemption from all or part of the Administrative Procedure Act. Some of these rules are exempted by A.R.S. §§ 41-1005 or 41-1057; other rules are exempted by other statutes; rules of the Corporation Commission are exempt from Attorney General review pursuant to a court decision as determined by the Corporation Commission.

NOTICE OF EXEMPT RULEMAKING

TITLE 4. PROFESSIONS AND OCCUPATIONS

CHAPTER 6. BOARD OF BEHAVIORAL HEALTH EXAMINERS

[R08-404]

PREAMBLE

- 1. Sections Affected**
R4-6-701
- Rulemaking Action**
Amend
- 2. The statutory authority for the rulemaking, including both the authorizing statute (general) and the statutes the rule is implementing (specific):**
Authorizing statute: A.R.S. § 32-3253(A)(1)
Implementing statute: A.R.S. § 32-3274(D)
- 3. The effective date of the rule:**
January 1, 2009
- 4. A list of all previous notices appearing in the Register addressing the exempt rule:**
None
- 5. The name and address of agency personnel with whom persons may communicate regarding the rulemaking:**
Name: Sherry D. Blatner
Address: 3443 N. Central Ave., Suite 1700
Phoenix, AZ 85012
Telephone: (602) 542-1889
Fax: (602) 364-0890
E-mail: sherry.blatner@bbhe.state.az.us
- 6. An explanation of the rule, including the agency's reasons for initiating the rule, including the statutory citation to the exemption from regular rulemaking procedures:**
The attached rule is being promulgated to implement behavioral health licensure statutes that were effective April 29, 2008.
Laws 2008, Ch. 134, § 6, provides that the Board of Behavioral Health Examiners is exempt from the rulemaking requirements of Arizona Revised Statutes Title 41, Ch. 6, for two years after April 29, 2008.
- 7. A reference to any study relevant to the rule that the agency reviewed and either relied on in its evaluation of or justification for the rule or did not rely on in its evaluation of or justification for the rule, where the public may obtain or review each study, all data underlying each study, and any analysis of each study and other supporting material:**
None
- 8. A showing of good cause why the rule is necessary to promote a statewide interest if the rule will diminish a previous grant of authority of a political subdivision of this state:**
Not applicable
- 9. The summary of the economic, small business, and consumer impact:**
Not applicable

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10. A description of the changes between the proposed rule, including supplemental notices, and final rule (if applicable):

Not applicable

11. A summary of the comments made regarding the rule and the agency response to them:

The agency discussed the rule at its November 7, 2008 Board meeting. The Board voted to approve the rule. No public comment was received.

As discussed in item 6, the rule is necessary to comply with recent changes to the Board's statutes. Comments regarding behavioral health technician licensure were heard at the legislature as part of the implementation of House Bill 2325.

12. Any other matters prescribed by statute that are applicable to the specific agency or to any specific rule or class of rules:

Not applicable

13. Incorporations by reference and their location in the rule:

Not applicable

14. Was this rule previously made as an emergency rule? If so, please indicate the Register citation:

Not applicable

15. The full text of the rule follows:

TITLE 4. PROFESSIONS AND OCCUPATIONS

CHAPTER 6. BOARD OF BEHAVIORAL HEALTH EXAMINERS

ARTICLE 7. SUBSTANCE ABUSE COUNSELING

Section

R4-6-701. Licensed Substance Abuse Technician Curriculum

ARTICLE 7. SUBSTANCE ABUSE COUNSELING

R4-6-701. Licensed Substance Abuse Technician Curriculum

A. An applicant for licensure as a substance abuse technician shall ~~have an~~ present evidence acceptable to the substance abuse credentialing committee that the applicant has earned:

1. An associate of applied science degree from a regionally accredited college or university in chemical dependency with a the following semester credit hours:

a. A minimum of 30 semester credit hours of counseling related coursework as determined by the substance abuse credentialing committee; and

b. A minimum of 18 of the 30 semester credit hours of coursework required in subsection (A)(1)(a) shall specifically relate to chemical dependency, or

2. A bachelor's degree from a regionally accredited college or university in a behavioral science with a minimum of 30 semester credit hours of counseling related coursework as determined by the substance abuse credentialing committee.

B. Coursework restrictions and limitations:

1. The Board shall not accept coursework in a general survey course, such as Psychology 101, as meeting the coursework requirements of this Section.

2. The Board shall not accept coursework that does not include a significant clinical component, such as statistics, as meeting the coursework requirements of this Section.

~~1-3.~~ Undergraduate or graduate coursework completed outside of the associate of applied science degree and submitted to meet curriculum requirements shall constitute no more than six semester credit hours.

~~2-~~ The required degree must contain a minimum of eighteen hours of coursework specifically related to chemical dependency.

4. Undergraduate or graduate coursework completed outside of the bachelor's degree and submitted to meet curriculum requirements shall constitute no more than six semester credit hours.

B-C. The substance abuse credentialing committee may waive the education requirement in subsection (A) for an applicant requesting licensure as a substance abuse technician if the applicant demonstrates the following:

1. The applicant provides services pursuant to a contract or grant with the federal government under the authority of 25 U.S.C. 450 – 450(n) or 25 U.S.C. 1601 – 1683;

2. The applicant has obtained a high school diploma or equivalent degree; or

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3. Because of cultural considerations, obtaining the degree required for substance abuse technician licensure would be an extreme hardship for the applicant;
 4. The applicant has completed a minimum of 6400 hours of supervised work experience in substance abuse counseling in no less than 48 months ~~completed~~ within the seven years ~~before~~ immediately preceding the date of application; ~~and~~
 5. The 6400 hours of supervised work experience in substance abuse counseling shall include a minimum of 3200 hours of direct client contact; and
 - ~~5-6.~~ The applicant has completed a minimum of 200 hours of clinical supervision in no less than 48 months within the supervised work experience submitted pursuant to ~~R4-6-701(B)(4)~~ R4-6-701(C)(4).
- ~~C.~~ A person who becomes licensed pursuant to subsection (B) shall only provide substance abuse counseling services to those eligible for services pursuant to 25 U.S.C. 450 – 450(n) or 25 U.S.C. 1601 – 1683.
- ~~D.~~ The supervised work experience in the practice of substance abuse counseling required in subsection ~~(B)~~ (C) is limited to the use of psychotherapy for the purpose of assessment, diagnosis, and treatment of individuals, couples, families, and groups as they relate to substance abuse and chemical dependency issues. ~~The 6400 hours of supervised work experience in substance abuse counseling shall include a minimum of 3200 hours of direct client contact.~~
- ~~E.~~ During the period of required supervised work experience in the practice of substance abuse counseling required in subsection ~~(B)~~ (C), an applicant for substance abuse technician licensure shall not engage in independent practice.
- ~~F.~~ ~~During the supervised work experience required in subsection (B), an applicant for substance abuse technician licensure shall receive a minimum of 200 hours of clinical supervision in no less than 48 months.~~
- ~~G.~~ E. During the supervised work experience required in subsection ~~(B)~~ (C), an applicant for substance abuse technician licensure shall demonstrate satisfactory performance in the following areas as they relate to substance abuse counseling by having the applicant's clinical supervisor submit a performance evaluation on forms available from the agency: intake, diagnostics, assessment, triage, crisis intervention, treatment planning, family, group and individual psychotherapy, outreach, and
1. Intake;
 2. Diagnostics;
 3. Assessment;
 4. Triage;
 5. Crisis intervention;
 6. Treatment planning;
 7. Family, group, and individual therapy;
 8. Outreach; and
 9. ~~consultation~~ Consultation with other professionals ~~by having the applicant's clinical supervisor submit a performance evaluation on forms available from the Agency.~~
- ~~H-G.~~ The time span covered by the performance evaluations required under subsection (F) shall be the same as that for the supervised work experience required in subsection ~~(B)~~ (C).
- ~~H-H.~~ Clinical supervision of an applicant for substance abuse technician licensure required in subsection ~~(B)~~ (C) shall be provided by an independent substance abuse counselor licensed in Arizona.
- ~~H-I.~~ An applicant may submit a written request to the substance abuse credentialing committee for an exemption from subsection ~~(H)~~ (H). The request shall include the name of the behavioral health professional proposed by the applicant to act as the clinical supervisor, a copy of the proposed supervisor's transcript and curriculum vitae, and any additional documentation requested by the committee.
1. The substance abuse credentialing committee shall review the supervision exemption request to determine whether the proposed supervisor has the necessary education, training, and experience to provide supervision acceptable for substance abuse technician licensure. If the proposed supervisor has the necessary education, training, and experience, the substance abuse credentialing committee shall grant the supervision exemption request.
 2. The substance abuse credentialing committee will not grant an exemption request for an unlicensed clinical supervisor providing clinical supervision in Arizona after July 1, 2006, except than an exemption may be granted by the committee if the clinical supervisor holds a current active license to practice behavioral health at the independent level and is providing services pursuant to a contract or grant with the federal government under the authority of 25 U.S.C. 450 – 450(n) or 25 U.S.C. 1601 – 1683.
- ~~J.~~ A person who is licensed pursuant to subsection (C) shall only provide substance abuse counseling services to those eligible for services pursuant to 25 U.S.C. 450 – 450(n) or 25 U.S.C. 1601 – 1683.

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resources. State Parks actively pursues public input into the fee structure through regional meetings throughout the state.

At the November 21, 2008 Board meeting, the Agency's 2009 Fee Schedule with the proposed fee changes was presented to the Board for consideration. The Board approved the changes as recommended, effective January 1, 2009.

7. **A reference to any study relevant to the rule that the agency reviewed and either relied on in its evaluation of or justification for the rule or did not rely on in its evaluation of or justification for the rule, where the public may obtain or review each study, all data underlying each study, and any analysis of each study and other supporting material:**
Not applicable
8. **A showing of good cause why the rule is necessary to promote a statewide interest if the rule will diminish a previous grant of authority of a political subdivision of this state:**
Not applicable
9. **The summary of the economic, small business, and consumer impact:**
Not applicable
10. **A description of the changes between the proposed rules, including supplemental notices, and final rules (if applicable):**
Not applicable
11. **A summary of the comments made regarding the rule and the agency response to them:**
Not applicable
12. **Any other matters prescribed by statute that are applicable to the specific agency or to any specific rule or class of rules:**
Not applicable
13. **Incorporations by reference and their location in the rules:**
Not applicable
14. **Was this rule previously made as an emergency rule? If so, please indicate the Register citation:**
No
15. **The full text of the rules follows:**

TITLE 12. NATURAL RESOURCES

CHAPTER 8. ARIZONA STATE PARKS BOARD

ARTICLE 1. GENERAL PROVISIONS

Section

Exhibit A. ~~January 1, 2008, January 1, 2009~~ Regular Fee Schedule

ARTICLE 1. GENERAL PROVISIONS

Exhibit A. ~~January 1, 2008, January 1, 2009~~ Regular Fee Schedule

**ARIZONA STATE PARKS FEE SCHEDULE
EFFECTIVE January 1, ~~2008~~ 2009**

- 1: Adult is defined as an individual 14 years of age and older.
- 2: Camping fees reflect a "Range" dependent upon specific site location and seasonality. Call individual Park facility for current information.
- 4: Over-sized Parking is an additional fee for those vehicles or vehicle/trailer units that exceed 55' in total length.
- 5: Additional Program Fees may apply, see "OTHER FEES."
- 6: For Cabins & Yurts an additional overnight fee of \$5.00 per pet per night will be assessed.
- 7: Camping by Reservation only. Contact the Park Facility directly for availability and details.

*These fees are charged on a "per vehicle" basis that includes up to 4 Adults per vehicle. Additional fees for vehicles containing more than 4 Adults will be assessed.
50% discount off regular entrance fee for Regular Military, Reserve, National Guard, and state militia troops and their families.*

PARK NAME	DAILY ENTRANCE			NIGHTLY CAMPING ²				
	Per Vehicle 1-4 Adults ¹	Individual/ Bicycle	Over-Size Parking ⁴	Non-Electric Campsite	Electric Site	Cabana or Boat Site	Cabin ⁶	Yurt ⁶
ALAMO*	5.00	2.00		40-42.00 10-13.00	19-25.00		50.00 - 75.00	
BOYCE THOMPSON	(Separate Fee Schedule)							

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BUCKSKIN MOUNTAIN	8.00	2.00			19-30.00	19-25.00		
BUCKSKIN RIVER ISLAND	8.00	2.00		44-46.00 14-17.00	19-30.00			
CATALINA	6.00	2.00		42-46.00 12-16.00	19-30.00			
Friday before Memorial Day through the end of Labor Day	3.00	2.00		10.00	15.00			
CATTAIL COVE	10.00	2.00	46.00 5.00		19-30.00	40-46.00 10-20.00		
DEAD HORSE RANCH	6.00	2.00		42-46.00 12-16.00	19-30.00		50.00 - 75.00	
FOOL HOLLOW	6.00	2.00		42-46.00 12-16.00	19-30.00			
Oct. 16 - March 14	3.00	2.00						
HOMOLOVI RUINS	5.00	1.00		40-42.00 10-13.00	14-20.00			
LAKE HAVASU*	10.00	2.00	46.00 5.00	44-46.00 14-17.00	19-30.00			
LOST DUTCHMAN	5.00	2.00		42-46.00 12-16.00	19-30.00			
Friday before Memorial Day through the end of Labor Day	3.00	2.00						
LYMAN LAKE	5.00	2.00		42-46.00 12-16.00	40-22.00 19-25.00		50.00 - 75.00	35.00 - 50.00
ORACLE ⁵	6.00	2.00						
Friday before Memorial Day through the end of Labor Day	5.00	2.00						
PATAGONIA LAKE	7.00	2.00		42-46.00 12-16.00	19-30.00	15-20.00		
Holidays & weekends- Friday before Memorial Day through the end of Labor Day	8.00	2.00						
PICACHO PEAK ⁵	6.00	2.00		42-46.00 12-16.00	40-22.00 19-25.00			
Friday before Memorial Day through the end of Labor Day	3.00	2.00		10.00	15.00			
RED ROCK ⁵	6.00 7.00	2.00		(educational groups only: \$12.00 /group of 1-6 persons)				
ROPER LAKE	5.00	2.00		40-42.00 10-15.00	16-20.00		35.00-50.00 50.00-75.00	
Friday before Memorial Day through the end of Labor Day	3.00	2.00			45.00			
SLIDE ROCK ⁵	8.00	2.00						
Friday before Memorial Day through the end of Labor Day	10.00	2.00						
SONOITA CREEK ⁷				11.00				

*Electric Campsites / Cabins are under development and are not yet available.

Children ages 0-13 0-6, when accompanied by a paying adult age 18 years or older, will be admitted free as long as the child is not part of an organized group. Group discounts may be available where listed. A group is 15 persons or more with prearranged arrival. All persons in a group, regardless of age, apply toward a group's number. Group discounts do not apply to Program Fees.

PARK NAME	DAILY ENTRANCE FEES			GROUP FEES Ages 14 & up
	Ages 0-13 0-6	Ages 7-13	Ages 14 & up	
FORT VERDE ⁵	free	1.00	2.00 3.00	4.00 2.40
JEROME ⁵	free	1.00	3.00	2.40
MCFARLAND ⁵	free	1.00	3.00	2.40
TOMBSTONE ⁵	free	1.00	4.00	3.20
Friday before Memorial Day through the end of Labor Day	free		3.00	
TONTO NATURAL BRIDGE	free	1.00	3.00 4.00	2.40 3.20
TUBAC PRESIDIO ⁵	free	1.00	3.00	2.40
Friday before Memorial Day through the end of Labor Day	free		2.00	
YUMA QUARTER MASTER DEPOT ⁵	free	1.00	3.00 4.00	2.40 3.20
YUMA TERRITORIAL PRISON ⁵	free	1.00	4.00	3.20

Group discounts are available where listed. A group is 15 persons or more with prearranged arrival. All persons in a group, regardless of age, apply toward a group's number.

PARK NAME	DAILY ENTRANCE FEES			GROUP FEES	
	Ages 0-6	Ages 7-13	Ages 14 & up	Ages 7-13	Ages 14 & up
RIORDAN MANSION ⁵	free	2.50	6.00	2.00	4.80

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KARTCHNER CAVERNS						
TOURS	Ages	Ages	Ages	DAILY ENTRANCE		
<i>Reservation Fee not included</i>	0 - 6	7 - 13	14 & Up	50% discount off regular entrance fee for Regular Military, Reserve, National Guard, and state militia troops and their families. (Fee is waived for reserved tour ticket holders)		
Rotunda Tour	free	6.95	15.95	Per Vehicle 1-2 Adults	Each Additional Adult / Vehicle	Individual/ Bicycle
*Seasonal Rate Rotunda Tour *August & September	free	5.95	13.95			
Big Room Tour	N/A	9.95	19.95	CAMPING Hook-Up Site ONLY		
"WALK-UP" Non-Reservation	0 - 6	7 - 13	14 & Up	Nightly Rate		19-30.00
Rotunda Tour	free	9.95	18.95	Seasonal/Conditional Rate		110.00
*Seasonal Rate Rotunda Tour *August & September	free	8.95	16.95			
Big Room Tour	N/A	12.95	22.95			

COMMERCIAL GROUP TOURS*: 20% discount off individual tour tickets.	Ages	Ages	Ages
<i>Reservation Fee not Included</i>	0 - 6	7 - 13	14 & Up
Rotunda Tour	free	5.56	12.76
*Seasonal Rate Rotunda Tour *August & September	free	4.76	12.76
Big Room Tour	N/A	7.96	15.96

* A commercial tour is pre-arranged by a commercial tour operator who organizes tours in a package with transportation and a destination or tour for one price. A group tour for Kartchner Caverns cave tour is defined as 12 persons or more.

OTHER FEES

Pet Fee for Cabins & Yurts	\$5.00	per pet per night.
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Overnight Parking	\$5.00	Overnight Parking is described as: "A legally parked, unattended and unoccupied vehicle not in a designated campsite, remaining on the park throughout the night." The overnight parking fee is to be charged in addition to the regular Entrance Fee.
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PASSES

Arizona State Parks Premium Annual Entrance Pass	\$125.00	"Valid at all State Parks for day-use activities only. Additional Program and Special Event Fees may apply."
Arizona State Parks Standard Annual Entrance Pass	\$50.00	"Valid at all Arizona State Parks facilities for day-use activities only, except at Buckskin Mountain/River Island, Cattail Cove and Lake Havasu State Parks on Fridays, Saturdays, Sundays, and recognized State Holidays. Additional Program and Special Event Fees may apply."

PROGRAM FEES (per person or vehicle)

Students Program:	\$1.00
Event Program Fees:	\$1.00 - \$5.00
Instructional:	Variable
Dump Station Use	10.00-15.00

RESERVATIONS

Kartchner Tours:	\$3.00
Camping, Cabin, Yurt Reservation:	\$5.00
Group Day-Use Reservation:	\$25.00 (minimum)
Group Camping Reservation:	\$25.00 (minimum)

SPECIAL USE FEES

Non-Commercial:	\$25.00 (minimum)
Commercial:	\$25.00 (minimum)
Damage Deposit:	\$25.00 (minimum)

Use of a park's dump station without being a registered camper will be equal to one night's camping (low end of the individual Park's range).

PERMITS

Permit Type	Fee	CONDITIONS OF USE
Commercial Retail Permit:	\$300.00	<ul style="list-style-type: none"> Pass is valid only for customers entering the park in the commercial vehicle. Individual pass must be presented each time the commercial vehicle enters the park with passengers. Pass does not permit any private vehicle to enter the park. Pass is valid through the calendar year in which it was purchased. Pass must be used in conjunction with commercial business pass. One voucher permits up to 4 adults in the same commercial vehicle. Violation of Conditions of Use may result in revocation of all commercial privileges. All Commercial Vehicle Access Permits expire December 31 of the year for which they were issued. Permittee clientele will be responsible for all applicable daily entrance fees when entering the park in a separate vehicle from the permittee. However, a discounted Clientele Voucher is available for all permittee clientele who enter the park in the permittee's vehicle and do not occupy a parking space.
Commercial Rental Permit:	\$350.00	
2nd Commercial Permit:	\$125.00	
Clientele Voucher:	\$5.00	