

April 26, 2013

The Honorable Kraig Paulsen
Speaker of the House
State Capitol
Des Moines, Iowa 50319

Dear Speaker Paulsen:

House File 569, an Act relating to licensure of professionals practicing substance and addictive disorder counseling or providing substance and addictive disorder prevention services, making penalties applicable, and inducing transition, implementation and effective date provisions is hereby disapproved and transmitted to you in accordance with Amendment IV of the Amendments of 1968 to the Constitution of the State of Iowa.

House File 569 is hereby disapproved on this date.

I am unable to approve House File 569 for the following reasons:

House File 569 mandates licensing for four new professions: substance and addictive disorder counselor (L.S.A.D.C.), master substance and addictive disorder counselor (L.M.S.A.D.C.), independent substance and addictive disorder counselor (L.I.S.A.D.C.) and substance and addictive disorder prevention professional (L.S.A.D.P.P.). This legislation also expands the size and cost of government by adding four new positions to the Board of Behavioral Science. The Board of Behavioral Science would need to increase fees on hardworking Iowans to pay for the increased expenses of the board and hire additional staff because the addition of four new required licenses doubles the size of active licenses.

Professionals who work in the area of substance abuse and addictive disorder counseling and prevention are essential. They provide valuable services to those with substance abuse and other addictions. Currently, these professionals can be certified by the Iowa Board of Certification to establish their credentials. The Iowa Board of Certification has been doing a good job of providing standards and certification. There is no need for an additional layer of government regulation and licensure. Furthermore, many of these certified professionals work in licensed facilities or under the supervision of others with licenses.

It is anticipated that the field of substance abuse and addictive disorder counseling and prevention will grow to meet treatment demand. It is in the best interests of Iowans to ensure that no artificial barriers to entry are created to keep people from the field. Often, counselors decide to enter the field after successfully winning the battle with their own addiction or abuse issues. We want to ensure that qualified people can continue to enter the profession. For example, each of the four licenses in this legislation requires a bachelors or master's degree before someone can work in this field. However, nearly one out of four people working in this field today in Iowa does not have such a degree, but possesses relevant experience equal to the requirements of the field. Although this legislation grandfatheres these people in for now, future Iowans would not have the same path or opportunity to enter this important field.

According to *License to Work*, a study by the Institute for Justice, in the 1950's only one in twenty individuals needed the government's permission to pursue their chosen profession. But today, the number is almost one in three.

Regulations and licenses should only be mandated when necessary to serve public health or safety. An occupational license is governmental permission to work in a particular field. In contrast, certification serves to provide a professional credentialing process for treatment and prevention providers. Licenses serve to increase costs on licensees, increase consumer costs and options, and reduce opportunities for new workers. One of my goals is to grow jobs by eliminating impediments to economic growth imposed by burdensome administrative rules and regulations. New policies that encourage a job-friendly environment can take Iowa a significant way forward in our effort to compete for new jobs, but much of that work can be undone by overregulation. Given that the certification process for substance abuse and addictive disorder counseling and prevention professionals is well-functioning and serves the interests of protecting health and public safety, there is no need to add an additional mandated layer of regulation and four new licenses.

For the above reasons, I respectfully disapprove of House File 569, in its entirety, in accordance with Amendment IV of the Amendments of 1968 to the Constitution of the State of Iowa.

Sincerely,

TERRY E. BRANSTAD
Governor