



VELFERÐARRÁÐUNEYTIÐ

Ministry of Welfare

**[REGULATION
on the education, rights and obligations of alcohol and
drug addiction counsellors and criteria for granting of licences]¹⁾,
No. 1106/2012,
as amended by Regulation No. 621/2014.
¹⁾ Regulation No. 621/2014, Art. 1.**

SECTION I

General provisions.

Article 1

Scope.

This Regulation applies to alcohol and [drug addiction counsellors]¹⁾ licensed by the Medical Director of Health under Article 2.

¹⁾ Regulation No. 621/2014, Art. 2.

SECTION II

Licences.

Article 2

Professional title.

The right to use the professional title of alcohol and [drug addiction counsellor]¹⁾ and to practise as such in Iceland is confined to those who have been granted a licence by the Medical Director of Health.

¹⁾ Regulation No. 621/2014, Art. 2.

Article 3

Criteria for granting of a licence.

A licence under Article 2 may be granted to those who have completed education under Article 4 in the field of alcohol and [drug addiction counselling]¹⁾, which is judged by the Medical Director of Health to be valid.

A licence may also be granted on the basis of education from a state within the European Economic Area (EEA) and Switzerland. Recognition of professional qualifications and competence of an alcohol and [drug addiction counsellor]²⁾ who meets the criteria of Directive 2005/36/EC, on the recognition of professional qualifications, with subsequent amendments, is subject to Regulation on recognition of professional qualifications and competence of healthcare practitioners from other EEA states, No. 461/2011.

A licence may also be granted to those who have completed a comparable qualification from an educational body in a state outside the EEA or Switzerland, which is recognised as such by Icelandic health authorities, and by health authorities in the state where the education took place.

An applicant shall meet at least the following minimum conditions for education and training:

1. he/she shall have worked full-time for three years, or 6,000 hours, in alcohol and [drug addiction counselling]¹⁾ at a medical institution, where a cross-disciplinary team under the professional direction of a full-time physician provides alcohol and [drug addiction treatment]¹⁾; and

2. he/she shall have received teaching amounting to 300 hours. The tuition shall encompass the pharmacology of addictive and mind-altering substances, alcohol and drug prevention, procedures and professional conduct as a counsellor as well as the ideology and ethics of alcohol treatment; and
3. he/she shall have received guidance from a qualified healthcare professional in group work, counselling, interviewing and consultation meetings, totalling 225 hours, of which 75 hours should be direct mentoring.

The applicant's knowledge shall be verified by an examination, and his/her proficiency certified by the professional director of the institution at which the education took place.

The Medical Director of Health makes proposals, in consultation with institutions providing education in alcohol and [drug addiction counselling]¹⁾, and the Medical Director of Health's expert council on alcohol and [drug addiction counselling]²⁾, and others deemed qualified by the Medical Director of Health, with regard to the education requirement for alcohol and [drug addiction counselling]²⁾, and how this shall be organised. The Medical Director of Health shall submit the proposals to the Minister for confirmation.

Further conditions for the granting of a licence are listed under Article 4.

^{x)} Regulation No. 621/2014, Art. x. ²⁾ Regulation No. 621/2014, Art. 2. ³⁾ Regulation No. 621/2014, Art. 3.

Article 4

Further criteria for granting of a licence.

An applicant for a licence as an alcohol and [drug addiction counsellor]¹⁾ under Article 2 who is from a state outside the EEA and Switzerland, with which Iceland has not made an agreement on recognition of professional qualifications and competence, shall submit *inter alia* documentary evidence of nationality, content and duration of education, in addition to an examination certificate, a licence if the profession is an authorised profession in the applicant's state of origin, intended employment in Iceland, and any other documents and certificates deemed by the Medical Director of Health to be necessary for the issue of a licence.

Before an application for a licence is evaluated, as applicable a certified copy must be submitted of an application for residence and work permits, together with a signed contract of employment.

A requirement may be made for knowledge of the Icelandic language and Icelandic healthcare legislation, and other legislation and government directives deemed necessary to the work of an alcohol and [drug addiction counsellor]¹⁾, especially with regard to patients' safety and communication with patients.

Should it not have been demonstrated, in the judgement of the Medical Director of Health, that the applicant's qualification fulfils the criteria under the first paragraph, an applicant may be required to submit to a test of competence to demonstrate that he/she possesses the professional knowledge and competence required in an alcohol and [drug addiction counsellor]¹⁾. The test shall be organised and administered by the Medical Director of Health's expert council on alcohol and [drug addiction counselling]¹⁾, in consultation with the Medical Director of Health.

A licence is issued when the applicant commences work in Iceland.

¹⁾ Regulation No. 621/2014, Art. 2.

Article 5

Opinions.

Before a licence is granted under Article 2, the Medical Director of Health shall elicit the opinion of the Medical Director of Health's expert council on alcohol and [drug addiction counselling]¹⁾ with regard to the qualifications of the applicant and if he/she fulfils the educational criteria for qualifications under the fourth paragraph of Article 3, for granting of a licence.

The Medical Director of Health may furthermore elicit opinions from other bodies, as deemed necessary.

¹⁾ Regulation No. 621/2014, Art. 2.

SECTION III
Rights and obligations.

Article 6

Professional standards and responsibility.

An alcohol and [drug addiction counsellor]¹⁾ shall show respect for the patient and perform his/her tasks vigilantly and conscientiously and in accordance with the professional standards required of the profession at any time.

An alcohol and [drug addiction counsellor]¹⁾ must be aware of his/her duties and respect ethical rules of the profession, maintain his/her knowledge and professional skill, and master innovations in his/her field of work.

An alcohol and [drug addiction counsellor]¹⁾ shall be familiar with legislation and regulations applying to healthcare practitioners and healthcare services, and other legislation and government directives, as applicable.

An alcohol and [drug addiction counsellor]¹⁾ operates in a cross-disciplinary team and is responsible for the counselling and treatment he/she provides.

An alcohol and [drug addiction counsellor]¹⁾ shall recognise his/her professional limitations, and seek assistance or refer the patient to another healthcare practitioner as necessary, for instance if he/she judges that he/she cannot provide the patient with appropriate healthcare service.

¹⁾ Regulation No. 621/2014, Art. 2.

Article 7

Duty to inform and keeping of medical records.

The duty of an alcohol and [drug addiction counsellor]¹⁾ to provide information to a patient is subject to the provisions of the Patients' Rights Act, No. 74/1997.

The duty of an alcohol and [drug addiction counsellor]¹⁾ to provide information to the Medical Director of Health, *inter alia* with respect to monitoring and for the purpose of producing health reports, is subject to the provisions of the Medical Director of Health and Public Health Act, No. 41/2007.

An alcohol and [drug addiction counsellor]¹⁾ shall, as appropriate, enter medical records in accord with the provisions of the Medical Records Act, No. 55/2009, and regulations issued on the basis of the Act.

¹⁾ Regulation No. 621/2014, Art. 2.

Article 8

Trainees.

An alcohol and [drug addiction counsellor]¹⁾ is responsible for trainees working under his/her management having sufficient competence and knowledge, and receiving the necessary guidance and instructions, to carry out tasks which he/she allots to them.

¹⁾ Regulation No. 621/2014, Art. 2.

Art 9

Confidentiality.

An alcohol and [drug addiction counsellor]¹⁾ shall maintain the utmost confidentiality regarding anything of which he/she becomes aware in his/her work about a client's health, condition, diagnosis, prognosis and treatment, and other personal information. This does not apply where other provisions are made by law, or where reasonable cause exists to breach confidentiality for reasons of urgent necessity.

An alcohol and [drug addiction counsellor]¹⁾ can be released from the obligation of confidentiality by the consent of a client, or guardian if applicable.

The duty of confidentiality under this Article does not apply to cases in which the alcohol and [drug addiction counsellor]¹⁾ has a duty to report under other legal provisions. In such cases, the duty of the alcohol and [drug addiction counsellor]¹⁾ is to notify the relevant authority.

An alcohol and [drug addiction counsellor's]¹⁾ duty of confidentiality is also subject to the provisions of the Patients' Rights Act, the Medical Records Act and other legislation as applicable.

¹⁾ Regulation No. 621/2014, Art. 2.

SECTION IV
Various provisions.

Article 10

Fees.

Fees for the issue of a licence are subject to Article 10 of the Treasury Supplementary Revenues Act, No. 88/1991.

Fees for all administration undertaken by the Medical Director of Health with regard to applications for licences, in addition to the fee under the first paragraph, and for tests of professional knowledge and competence, are subject to Regulation on fees for applications for healthcare practitioners' licences and specialist licences, No. 951/2012.

Article 11

General provisions.

The provisions of the Healthcare Practitioners Act, No. 34/2012, the Medical Director of Health and Public Health Act, No. 41/2007, the Medical Records Act, No. 55/2009, the Health Service Act, No. 40/2007, the Patients' Rights Act, No. 74/1997, and other legislation and government directives apply to alcohol and [drug addiction counsellors]¹⁾ as applicable.

¹⁾ Regulation No. 621/2014, Art. 2.

Article 12

Entry into force.

This Regulation, issued on the basis of Articles 5, 30 and 31 of the Healthcare Practitioners Act, No. 34/2012, takes effect on 1 January 2013. From that time Regulation on the Training, Rights and Obligations of Alcohol and [Drug Addiction Counsellors]¹⁾, No. 974/2006, with subsequent amendments, is abrogated.

Ministry of Welfare, 11 December 2012.

Guðbjartur Hannesson.

Vilborg Ingólfssdóttir.

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*[This translation is published for information only.
The original Icelandic text is published in the Law Gazette.
In case of a possible discrepancy, the original Icelandic text applies.]*