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124th General Assembly

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SENATORS Harris, Carnes, Robert Gardner

A B I L L

To amend sections 125.22, 3793.07, 4743.05, 4745.01, 1
and 4757.41; to enact sections 4758.01, 4758.02 to 2
4758.04, 4758.06, 4758.10 to 4758.13, 4758.15 to 3
4758.18, 4758.20 to 4758.32, 4758.35, 4758.36, 4
4758.40 to 4758.45, 4758.50, 4758.51, 4758.53, 5
4758.55 to 4758.61, 4758.70, 4758.71, and 4758.99 6
of the Revised Code; to repeal Sections 6 and 7 of 7
Am. Sub. S.B. 172 of the 123rd General Assembly; 8
and to repeal Section 8 of Am. Sub. S.B. 172 of the 9
123rd General Assembly, as subsequently amended, to 10
create the Chemical Dependency Professionals Board, 11
to require licensure or certification of chemical 12
dependency counselors, to authorize the 13
certification of alcohol and other drug prevention 14
specialists, and to make an appropriation. 15

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF OHIO:

Section 1. That sections 125.22, 3793.07, 4743.05, 4745.01, 16
and 4757.41 be amended and sections 4758.01, 4758.02, 4758.03, 17

4758.04, 4758.06, 4758.10, 4758.11, 4758.12, 4758.13, 4758.15, 18
4758.16, 4758.17, 4758.18, 4758.20, 4758.21, 4758.22, 4758.23, 19
4758.24, 4758.25, 4758.26, 4758.27, 4758.28, 4758.29, 4758.30, 20
4758.31, 4758.32, 4758.35, 4758.36, 4758.40, 4758.41, 4758.42, 21
4758.43, 4758.44, 4758.45, 4758.50, 4758.51, 4758.53, 4758.55, 22
4758.56, 4758.57, 4758.58, 4758.59, 4758.60, 4758.61, 4758.70, 23
4758.71, and 4758.99 of the Revised Code be enacted to read as 24
follows: 25

Sec. 125.22. (A) The department of administrative services 26
shall establish the central service agency to perform routine 27
support for the following boards and commissions: 28

- (1) State board of examiners of architects; 29
- (2) Barber board; 30
- (3) State chiropractic board; 31
- (4) State board of cosmetology; 32
- (5) Accountancy board; 33
- (6) State dental board; 34
- (7) State board of optometry; 35
- (8) Ohio occupational therapy, physical therapy, and athletic 36
trainers board; 37
- (9) State board of registration for professional engineers 38
and surveyors; 39
- (10) State board of sanitarian registration; 40
- (11) Board of embalmers and funeral directors; 41
- (12) State board of psychology; 42
- (13) Ohio optical dispensers board; 43
- (14) Board of speech pathology and audiology; 44

- (15) Counselor and social worker board; 45
- (16) State veterinary medical licensing board; 46
- (17) Ohio board of dietetics; 47
- (18) Commission on Hispanic-Latino affairs; 48
- (19) Ohio respiratory care board; 49
- (20) Ohio commission on African-American males; 50
- (21) Chemical dependency professionals board. 51

(B)(1) Notwithstanding any other section of the Revised Code, 52
the agency shall perform the following routine support services 53
for the boards and commissions named in division (A) of this 54
section unless the controlling board exempts a board or commission 55
from this requirement on the recommendation of the director of 56
administrative services: 57

(a) Preparing and processing payroll and other personnel 58
documents; 59

(b) Preparing and processing vouchers, purchase orders, 60
encumbrances, and other accounting documents; 61

(c) Maintaining ledgers of accounts and balances; 62

(d) Preparing and monitoring budgets and allotment plans in 63
consultation with the boards and commissions; 64

(e) Other routine support services that the director of 65
administrative services considers appropriate to achieve 66
efficiency. 67

(2) The agency may perform other services which a board or 68
commission named in division (A) of this section delegates to the 69
agency and the agency accepts. 70

(3) The agency may perform any service for any professional 71
or occupational licensing board not named in division (A) of this 72

section or any commission if the board or commission requests such
service and the agency accepts.

(C) The director of administrative services shall be the
appointing authority for the agency.

(D) The agency shall determine the fees to be charged to the
boards and commissions, which shall be in proportion to the
services performed for each board or commission.

(E) Each board or commission named in division (A) of this
section and any other board or commission requesting services from
the agency shall pay these fees to the agency from the general
revenue fund maintenance account of the board or commission or
from such other fund as the operating expenses of the board or
commission are paid. Any amounts set aside for a fiscal year by a
board or commission to allow for the payment of fees shall be used
only for the services performed by the agency in that fiscal year.
All receipts collected by the agency shall be deposited in the
state treasury to the credit of the central service agency fund,
which is hereby created. All expenses incurred by the agency in
performing services for the boards or commissions shall be paid
from the fund.

(F) Nothing in this section shall be construed as a grant of
authority for the central service agency to initiate or deny
personnel or fiscal actions for the boards and commissions.

Sec. 3793.07. (A) As used in this section:

(1) "Medicare program" means the program established under
Title XVIII of the "Social Security Act," 49 Stat. 620 (1935), 42
U.S.C. 301, as amended;

(2) "Medicaid program" means the program established under
Title XIX of the "Social Security Act."

(B) ~~The~~ Except as provided in division (D) of this section,

the department of alcohol and drug addiction services shall 103
establish and administer a process for the certification or 104
credentialing of chemical dependency ~~professionals~~ counselors and 105
alcohol and other drug prevention specialists for the purpose of 106
qualifying ~~the~~ their services ~~provided by chemical dependency~~ 107
~~professionals~~ for reimbursement under the medicare or medicaid 108
program. The process shall be made available to any individual who 109
is a member of the profession of ~~alcoholism counseling~~, drug abuse 110
counseling, or chemical dependency counseling, or any individual 111
who is an ~~alcoholism or~~ alcohol and other drug ~~abuse~~ prevention 112
~~consultant or~~ specialist. Nothing in this section shall be 113
construed as requiring such certification or credentials for 114
services that are not reimbursed by medicare or medicaid. 115

The department shall cease to administer its process for the 116
certification or credentialing of chemical dependency counselors 117
and alcohol and other drug prevention specialists under this 118
section at the earlier of the following: 119

(1) The date, which shall be specified in an agreement 120
between the department and chemical dependency professionals 121
board, on which the board is to assume, under Chapter 4758. of the 122
Revised Code, the department's certification duties; 123

(2) Two years after the effective date of this amendment. 124

(C) The department shall adopt rules in accordance with 125
Chapter 119. of the Revised Code establishing standards and 126
procedures for the certification or credentialing process. The 127
rules shall include the following: 128

(1) Eligibility requirements; 129

(2) Application procedures; 130

(3) Minimum educational and clinical training requirements 131
that must be met for initial certification or credentialing; 132

(4) Continuing education and training requirements for 133

certified or credentialed individuals; 134

(5) Application and renewal fees that do not exceed the cost 135
incurred by the department in implementing and administering the 136
process; 137

(6) Administration or approval of examinations; 138

(7) Investigation of complaints and alleged violations of 139
this section; 140

(8) Maintenance of the confidentiality of the department's 141
investigative records; 142

(9) Disciplinary actions, including application denial and 143
suspension or revocation of certification or credentials; 144

(10) Any other rules the department considers necessary to 145
establish or administer the certification or credentialing 146
process. 147

(D)(1) Except as provided in division (D)(2) of this section, 148
the department shall not issue an initial certificate or 149
credential to practice as a chemical dependency counselor I, but 150
may renew such a certificate or credential issued prior to the 151
effective date of this amendment or pursuant to division (D)(2) of 152
this section until the department ceases to administer the 153
certification and credentialing process under this section. 154

(2) The department may issue an initial certificate or 155
credential to practice as a chemical dependency counselor I to an 156
individual if the individual submitted the application for 157
certification or credentials to the department prior to the 158
effective date of this amendment. 159

(E) The department shall investigate alleged violations of 160
this section or the rules adopted under it. As part of its 161
investigation, the department may issue subpoenas, examine 162
witnesses, and administer oaths. The department shall ensure that 163

all records it holds pertaining to an investigation remain 164
confidential. 165

~~(E)~~(F) With respect to hearings conducted by the department 166
as part of the certification or credentialing process, both of the 167
following apply: 168

(1) An individual whose application for certification or 169
credentials issued under this section has been denied by the 170
department may request a hearing in accordance with Chapter 119. 171
of the Revised Code and the rules adopted under this section. 172

(2) The department may appoint a referee or hearing examiner 173
to conduct the proceedings and make recommendations to the 174
department as appropriate. 175

~~(F)~~(G) The department shall maintain a record of all fees 176
collected under this section. All fees collected shall be paid 177
into the state treasury to the credit of the credentialing fund, 178
which is hereby created. Money credited to the fund shall be used 179
solely to pay the costs of establishing and administering the 180
process for certification or credentialing of chemical dependency 181
professionals under this section. 182

~~(G) Certifications~~ Money credited to the credentialing fund 183
under this section shall be transferred to the occupational 184
licensing and regulatory fund created under section 4743.05 of the 185
Revised Code at the earlier of the following: 186

(1) The date, which shall be specified in an agreement 187
between the department and chemical dependency professionals 188
board, on which the board is to assume, under Chapter 4758. of the 189
Revised Code, the department's certification duties; 190

(2) Two years after the effective date of this amendment. 191

(H) Certifications made and credentials issued by the Ohio 192
credentialing board for chemical dependency professionals prior to 193
the date the department establishes its certification or 194

credentialing process under this section shall continue to be 195
accepted by the department until, with respect to any particular 196
individual, one of the following occurs: 197

(1) The individual's certification or credentials from the 198
board have expired. 199

(2) The individual's certification or credentials from the 200
board would be suspended or revoked by the department if the 201
certification or credentials had been issued by the department 202
under this section. 203

Sec. 4743.05. Except as otherwise provided in sections 204
4701.20 and 4729.65 of the Revised Code, all money collected under 205
Chapters 3773., 4701., 4703., 4709., 4713., 4715., 4717., 4723., 206
4725., 4729., 4732., 4733., 4734., 4736., 4741., 4753., 4755., 207
4757., 4758., 4759., and 4761. of the Revised Code, and until 208
December 31, 2004, money collected under Chapter 4779. of the 209
Revised Code, shall be paid into the state treasury to the credit 210
of the occupational licensing and regulatory fund, which is hereby 211
created for use in administering such chapters. 212

At the end of each quarter, the director of budget and 213
management shall transfer from the occupational licensing and 214
regulatory fund to the nurse education assistance fund created in 215
section 3333.28 of the Revised Code the amount certified to the 216
director under division (B) of section 4723.08 of the Revised 217
Code. 218

At the end of each quarter, the director shall transfer from 219
the occupational licensing and regulatory fund to the certified 220
public accountant education assistance fund created in section 221
4701.26 of the Revised Code the amount certified to the director 222
under division (H)(2) of section 4701.10 of the Revised Code. 223

Sec. 4745.01. (A) "Standard renewal procedure," as used in 224

Chapters 905., 907., 909., 911., 913., 915., 918., 921., 923., 225
927., 942., 943., 953., 1321., 3710., 3713., 3719., 3731., 3742., 226
3748., 3769., 3783., 3921., 3951., 4104., 4105., 4143., 4169., 227
4561., 4703., 4707., 4709., 4713., 4715., 4717., 4723., 4725., 228
4727., 4728., 4729., 4731., 4733., 4734., 4735., 4739., 4741., 229
4747., 4749., 4753., 4755., 4757., 4758., 4759., 4761., 4766., 230
4773., and 4775. of the Revised Code, means the license renewal 231
procedures specified in this chapter. 232

(B) "Licensing agency," as used in this chapter, means any 233
department, division, board, section of a board, or other state 234
governmental unit subject to the standard renewal procedure, as 235
defined in this section, and authorized by the Revised Code to 236
issue a license to engage in a specific profession, occupation, or 237
occupational activity, or to have charge of and operate certain 238
specified equipment, machinery, or premises. 239

(C) "License," as used in this chapter, means a license, 240
certificate, permit, card, or other authority issued or conferred 241
by a licensing agency by authority of which the licensee has or 242
claims the privilege to engage in the profession, occupation, or 243
occupational activity, or to have control of and operate certain 244
specific equipment, machinery, or premises, over which the 245
licensing agency has jurisdiction. 246

(D) "Licensee," as used in this chapter, means either the 247
person to whom the license is issued or renewed by a licensing 248
agency, or the person, partnership, or corporation at whose 249
request the license is issued or renewed. 250

(E) "Renewal" and "renewed," as used in this chapter and in 251
the chapters of the Revised Code specified in division (A) of this 252
section, includes the continuing licensing procedure provided in 253
Chapter 3748. of the Revised Code and rules adopted under it and 254
in sections 1321.05 and 3921.33 of the Revised Code, and as 255
applied to those continuing licenses any reference in this chapter 256

to the date of expiration of any license shall be construed to
mean the due date of the annual or other fee for the continuing
license.

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Sec. 4757.41. (A) This chapter shall not apply to the
following:

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(1) A person certified by the state board of education under
Chapter 3319. of the Revised Code while performing any services
within the person's scope of employment by a board of education or
by a private school meeting the standards prescribed by the state
board of education under division (D) of section 3301.07 of the
Revised Code or in a program operated under Chapter 5126. of the
Revised Code for training individuals with mental retardation or
other developmental disabilities;

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(2) Psychologists or school psychologists licensed under
Chapter 4732. of the Revised Code;

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(3) Members of other professions licensed, certified, or
registered by this state while performing services within the
recognized scope, standards, and ethics of their respective
professions;

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(4) Rabbis, priests, Christian science practitioners, clergy,
or members of religious orders and other individuals participating
with them in pastoral counseling when the counseling activities
are within the scope of the performance of their regular or
specialized ministerial duties and are performed under the
auspices or sponsorship of an established and legally cognizable
church, denomination, or sect or an integrated auxiliary of a
church as defined in federal tax regulations, paragraph (g)(5) of
26 C.F.R. 1.6033-2 (1995), and when the individual rendering the
service remains accountable to the established authority of that
church, denomination, sect, or integrated auxiliary;

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(5) Any person employed in the civil service as defined in 288
section 124.01 of the Revised Code while engaging in social work 289
or professional counseling as a civil service employee; 290

(6) A student in an accredited educational institution while 291
carrying out activities that are part of the student's prescribed 292
course of study if the activities are supervised as required by 293
the educational institution and if the student does not hold 294
herself or himself out as a person licensed or registered under 295
this chapter; 296

(7) ~~Individuals~~ Until two years after the date the department 297
of alcohol and drug addiction services ceases to administer its 298
process for the certification or credentialing of chemical 299
dependency counselors and alcohol and other drug prevention 300
specialists under section 3793.07 of the Revised Code, as 301
specified in division (B) of that section, or in the case of an 302
individual who has the expiration date of the individual's 303
certificate or credentials delayed under section 4758.04 of the 304
Revised Code, until the date of the delayed expiration, 305
individuals with certification or credentials accepted by the 306
department ~~of alcohol and drug addiction services~~ under that 307
section 3793.07 ~~of the Revised Code~~ who are acting within the 308
scope of their certification or credentials as members of the 309
profession of ~~alcoholism counseling, drug abuse counseling, or~~ 310
chemical dependency counseling, or as alcoholism or alcohol and 311
other drug abuse prevention consultants or specialists; 312

(8) Individuals who hold a license or certificate under 313
Chapter 4758. of the Revised Code who are acting within the scope 314
of their license or certificate as members of the profession of 315
chemical dependency counseling or alcohol and other drug 316
prevention services; 317

(9) Any person employed by the American red cross while 318
engaging in activities relating to services for military families 319

and veterans and disaster relief, as described in the "American
National Red Cross Act," 33 Stat. 599 (1905), 36 U.S.C.A. 1, as
amended;

~~(9)~~(10) Members of labor organizations who hold union
counselor certificates while performing services in their official
capacity as union counselors;

~~(10)~~(11) Any person employed in a hospital as defined in
section 3727.01 of the Revised Code or in a nursing home as
defined in section 3721.01 of the Revised Code while providing as
a hospital employee or nursing home employee, respectively, social
services other than counseling and the use of psychosocial
interventions and social psychotherapy.

(B) Divisions (A)(5), ~~(8)~~(9), and ~~(10)~~(11) of this section do
not prevent a person described in those divisions from obtaining a
license or certificate of registration under this chapter.

Sec. 4758.01. As used in this chapter:

(A) "Accredited educational institution" means an educational
institution accredited by an accrediting agency accepted by the
Ohio board of regents.

(B)(1) "Alcohol and other drug clinical counseling
principles, methods, or procedures" means an approach to chemical
dependency counseling that emphasizes the chemical dependency
counselor's role in systematically assisting clients through all
of the following:

(a) Analyzing background and current information;

(b) Exploring possible solutions;

(c) Developing and providing a treatment plan;

(d) In the case of an independent chemical dependency

counselor or chemical dependency counselor III only, diagnosing
chemical dependency conditions.

(2) "Alcohol and other drug clinical counseling principles,
methods, or procedures" includes counseling, assessing,
consulting, and referral as they relate to chemical dependency
conditions.

(C) "Alcohol and other drug prevention services" means a
planned process of strategies and activities designed to preclude
the onset of the use of alcohol and other drugs, reduce
problematic use of alcohol and other drugs, or both.

(D) "Chemical dependency conditions" means those conditions
relating to the abuse of or dependency on alcohol or other drugs
that are classified in accepted nosologies, including the
diagnostic and statistical manual of mental disorders and the
international classification of diseases, and in editions of those
nosologies published after the effective date of this section.

(E) "Chemical dependency counseling" means rendering or
offering to render to individuals, groups, or the public a
counseling service involving the application of alcohol and other
drug clinical counseling principles, methods, or procedures to
assist individuals who are abusing or dependent on alcohol or
other drugs.

(F) "Scope of practice" means the services, methods, and
techniques in which and the areas for which a person who holds a
license or certificate under this chapter is trained and
qualified.

Sec. 4758.02. (A) Effective two years after the date the
department of alcohol and drug addiction services ceases to
administer its certification and credentialing process under
section 3793.07 of the Revised Code as specified in division (B)

of that section and except as provided in sections 4758.03 and
4758.04 of the Revised Code, no person shall do any of the
following:

(1) Engage in or represent to the public that the person
engages in chemical dependency counseling for a fee, salary, or
other consideration unless the person holds a valid independent
chemical dependency counselor license, chemical dependency
counselor III license, chemical dependency counselor II license,
chemical dependency counselor I certificate, or chemical
dependency counselor assistant certificate issued under this
chapter;

(2) Use the title "licensed independent chemical dependency
counselor," "LICDC," "licensed chemical dependency counselor III,"
"LCDC III," "licensed chemical dependency counselor II," "LCDC
II," "certified chemical dependency counselor I," "CCDC I,"
"chemical dependency counselor assistant," "CDCA," or any other
title or description incorporating the word "chemical dependency
counselor" or any other initials used to identify persons acting
in those capacities unless currently authorized under this chapter
to act in the capacity indicated by the title or initials;

(3) Represent to the public that the person is a registered
applicant unless the person holds a valid registered applicant
certificate issued under this chapter;

(4) Use the title "certified prevention specialist II," "CPS
II," "certified prevention specialist I," "CPS I," "registered
applicant," or any other title, description, or initials used to
identify persons acting in those capacities unless currently
authorized under this chapter to act in the capacity indicated by
the title or initials.

(B) Effective six years after the effective date of this
section, no person shall engage in or represent to the public that

the person engages in chemical dependency counseling as a chemical
dependency counselor I.

Sec. 4758.03. Division (A) of section 4758.02 of the Revised
Code does not apply to any of the following:

(A) An individual who holds a valid license, registration,
certificate, or credentials issued under another chapter of the
Revised Code while performing services within the recognized
scope, standards, and ethics of the individual's profession;

(B) An individual who is a rabbi, priest, Christian Science
practitioner, clergy, or member of a religious order and other
individuals participating with them in pastoral counseling when
the chemical dependency counseling activities are within the scope
of the performance of their regular or specialized ministerial
duties and are performed under the auspices or sponsorship of an
established and legally cognizable church, denomination, or sect
or an integrated auxiliary of a church as defined in paragraph (h)
of 26 Code of Federal Regulations 1.6033-2 (2000) as amended, and
the individual rendering the service remains accountable to the
established authority of that church, denomination, sect, or
integrated auxiliary;

(C) A student in an accredited educational institution while
carrying out activities that are part of the student's prescribed
course of study if the activities are supervised as required by
the educational institution and the student is not represented as
an individual who holds a license or certificate issued under this
chapter.

Sec. 4758.04. After the date the department of alcohol and
drug addiction services ceases to administer its certification and
credentialing process under section 3793.07 of the Revised Code as
specified in division (B) of that section, an individual who

holds, on the effective date of this section, a valid certificate
or credentials that are accepted under section 3793.07 of the
Revised Code as authority to practice as a chemical dependency
counselor or alcohol and other drug prevention specialist may
apply to the chemical dependency professionals board for the board
to delay the expiration date of the individual's certificate or
credentials. If the board determines that there is good cause for
delaying the expiration date, the board may delay the expiration
date until a date the board specifies. The date the board
specifies shall not be later than the date that is three years
after the effective date of the board's initial rules adopted
under section 4758.20 of the Revised Code.

An individual who has the expiration date of the individual's
certificate or credentials delayed under this section may perform
services within the scope, standards, and ethics of the
certificate or credentials until the date of the delayed
expiration date.

Sec. 4758.06. No individual who holds or has held a license
or certificate issued under this chapter shall disclose any
information regarding the identity, diagnosis, or treatment of any
of the individual's clients or consumers except for the purposes
and under the circumstances expressly authorized by 42 U.S.C.A.
290dd-2, regulations promulgated pursuant to that federal law,
other federal law enacted after the effective date of this section
to replace 42 U.S.C.A. 290dd-2, or regulations promulgated under
the replacement federal law. The prohibition of this section
applies whether or not the information is recorded.

Sec. 4758.10. (A) There is hereby created the chemical
dependency professionals board.

(B) The governor shall appoint all of the following voting

members of the board with the advice and consent of the senate:

(1) Four individuals who hold a valid independent chemical dependency counselor license issued under this chapter, including at least two of whom have received at least a master's degree in a field related to chemical dependency counseling from an accredited educational institution;

(2) Two individuals who hold a valid chemical dependency counselor III license issued under this chapter;

(3) One individual who holds a valid chemical dependency counselor II license issued under this chapter;

(4) Two individuals who hold a valid prevention specialist II certificate or prevention specialist I certificate issued under this chapter;

(5) One individual who is authorized under Chapter 4731. of the Revised Code to practice medicine and surgery or osteopathic medicine and surgery and has experience practicing in a field related to chemical dependency counseling;

(6) Two individuals who represent the public and have not practiced chemical dependency counseling or alcohol and other drug prevention services and have not been involved in the delivery of chemical dependency counseling services or alcohol and other drug prevention services. At least one of these individuals shall be at least sixty years of age. During their terms, the public members shall not practice chemical dependency counseling or alcohol and other drug prevention services or be involved in the delivery of chemical dependency counseling services or alcohol and other drug prevention services.

(C) Not later than ninety days after the effective date of this section, the director of alcohol and drug addiction services shall appoint an individual who represents the department of

alcohol and drug addiction services to serve as an ex officio
member of the chemical dependency professionals board.

(D) Not more than one-half of the voting members of the board
may be of the same gender or members of the same political party.
At least two voting members of the board shall be of African,
Native American, Hispanic, or Asian descent.

Sec. 4758.11. Of the initial appointees to the chemical
dependency professionals board appointed by the governor under
division (B) of section 4758.10 of the Revised Code, four shall be
appointed for terms ending one year after the effective date of
this section, four shall be appointed for terms ending two years
after the effective date of this section, and four shall be
appointed for terms ending three years after the effective date of
this section. After the initial appointments, terms of office
shall be three years, each term ending on the same day of the same
month of the year as the term it succeeds.

A voting member of the board shall hold office from the date
of appointment until the end of the term for which the member was
appointed. A voting member appointed to fill a vacancy occurring
prior to the expiration of the term for which the member's
predecessor was appointed shall hold office for the remainder of
that term. A voting member shall continue in office after the
expiration date of the member's term until the member's successor
takes office or until a period of sixty days has elapsed,
whichever occurs first. Voting members may be reappointed, except
that an individual who has held office for two consecutive full
terms shall not be reappointed sooner than one year after the
expiration of the second full term.

The ex officio member of the board appointed by the director
of alcohol and drug addiction services under division (C) of
section 4758.10 of the Revised Code shall serve at the pleasure of

the director.

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Sec. 4758.12. The voting members of the chemical dependency professionals board shall receive an amount fixed under division (J) of section 124.15 of the Revised Code for each day employed in the discharge of their official duties as board members and shall be reimbursed for their necessary and actual expenses incurred in the performance of their official duties.

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Sec. 4758.13. The chemical dependency professionals board shall meet to discuss matters relating to the administration and operation of the board and the regulation of the practices of chemical dependency counseling and alcohol and other drug prevention services. The board shall hold at least one regular meeting every three months. Additional meetings may be held at such times as the board determines, on the call of the chairperson, or on the written request to the executive director of three or more voting board members. If three or more voting members request a meeting, the executive director shall call a meeting, which shall be held not later than seven days after the request is received.

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Seven voting members of the board constitute a quorum to conduct business. Except as provided in section 4758.32 of the Revised Code, no action shall be taken without the concurrence of at least a quorum.

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At its first meeting each year, the board shall elect a chairperson from among its voting members. No member shall serve more than two consecutive terms as chairperson.

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The board shall keep any records and minutes necessary to fulfill the duties established by this chapter and rules adopted under it.

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Sec. 4758.15. The chemical dependency professionals board 561
shall employ an executive director. The board may employ and 562
prescribe the powers and duties of employees and consultants as 563
are necessary for it to carry out the board's duties under this 564
chapter and the rules adopted under it. 565

Sec. 4758.16. The chemical dependency professionals board 566
shall not discriminate against any licensee, certificate holder, 567
or applicant for a license or certificate under this chapter 568
because of the individual's race, color, religion, gender, 569
national origin, disability as defined in section 4112.01 of the 570
Revised Code, or age. The board shall afford a hearing to any 571
individual who files with the board a statement alleging 572
discrimination based on any of those reasons. 573

Sec. 4758.17. The chemical dependency professionals board 574
shall adopt a seal to authenticate its records and proceedings. 575

A statement, signed by the executive director of the board to 576
which is affixed the official seal of the board, to the effect 577
that an individual specified in the statement does not currently 578
hold a license or certificate under this chapter or that a license 579
or certificate issued by the board under this chapter has been 580
revoked or suspended, shall be received as prima-facie evidence of 581
a record of the board in any court or before any officer of the 582
state. 583

Sec. 4758.18. The chemical dependency professionals board 584
shall include the board's address and telephone number on each 585
license and certificate it issues under this chapter. 586

Sec. 4758.20. (A) The chemical dependency professionals board 587
shall adopt rules to establish, specify, or provide for all of the 588

following:

(1) Fees for the purposes authorized by section 4758.21 of
the Revised Code;

(2) For the purpose of section 4758.23 of the Revised Code,
codes of ethical practice and professional conduct for individuals
who hold a license or certificate issued under this chapter;

(3) For the purpose of section 4758.24 of the Revised Code,
all of the following:

(a) Good moral character requirements for an individual who
seeks or holds a license or certificate issued under this chapter;

(b) The documents that an individual seeking such a license
or certificate must submit to the board;

(c) Requirements to obtain the license or certificate that
are in addition to the requirements established under sections
4758.40, 4758.41, 4758.42, 4758.43, 4758.44, and 4758.45 of the
Revised Code. The additional requirements may include
preceptorships.

(4) Procedures for renewal of a chemical dependency counselor
I license under section 4758.27 of the Revised Code;

(5) For the purpose of section 4758.28 of the Revised Code,
requirements for approval of continuing education courses of study
for individuals who hold a license or certificate issued under
this chapter;

(6) For the purpose of section 4758.30 of the Revised Code,
the intervention for and treatment of an individual holding a
license or certificate issued under this chapter whose abilities
to practice are impaired due to abuse of or dependency on alcohol
or other drugs or other physical or mental condition;

(7) Requirements governing reinstatement of a suspended or
revoked license or certificate under division (B) of section

4758.30 of the Revised Code, including requirements for 619
determining the amount of time an individual must wait to apply 620
for reinstatement; 621

(8) For the purpose of section 4758.31 of the Revised Code, 622
methods of ensuring that all records the board holds pertaining to 623
an investigation remain confidential during the investigation; 624

(9) Criteria for employees of the board to follow when 625
performing their duties under division (B) of section 4758.35 of 626
the Revised Code; 627

(10) For the purpose of division (A)(1) of section 4758.40 of 628
the Revised Code, course requirements for a master's degree in 629
behavioral sciences that shall, at a minimum, include at least 630
sixty quarter hours, or the equivalent number of semester hours, 631
in all of the following courses: 632

(a) Theories of counseling and psychotherapy; 633

(b) Counseling procedures; 634

(c) Group process and techniques; 635

(d) Relationship therapy; 636

(e) Research methods and statistics; 637

(f) Fundamentals of assessment and diagnosis, including 638
measurement and appraisal; 639

(g) Psychopathology; 640

(h) Human development; 641

(i) Cultural competence in counseling; 642

(j) Ethics. 643

(11) For the purpose of division (A)(3) of section 4758.40, 644
division (A)(3) of section 4758.41, and division (A)(3) of section 645
4758.42, training requirements for chemical dependency that shall, 646

at a minimum, include qualifications for the individuals who
provide the training and instruction in all of the following
courses:

(a) Theories of addiction;

(b) Counseling procedures and strategies with addicted
populations;

(c) Group process and techniques working with addicted
populations;

(d) Assessment and diagnosis of addiction;

(e) Relationship counseling with addicted populations;

(f) Pharmacology;

(g) Prevention strategies;

(h) Treatment planning;

(i) Legal and ethical issues.

(12) For the purpose of division (B)(2)(b) of section 4758.40
and division (B)(2) of section 4758.41 of the Revised Code,
requirements for the forty clock hours of training on the version
of the diagnostic and statistical manual of mental disorders that
is current at the time of the training, including the number of
the clock hours that must be on substance-related disorders and
the number of the clock hours that must be on awareness of other
mental and emotional disorders;

(13) For the purpose of division (A)(1) of section 4758.41 of
the Revised Code, course requirements for a bachelor's degree in
behavioral sciences;

(14) For the purpose of division (A) of section 4758.43 of
the Revised Code, training requirements for chemical dependency
counseling that shall, at a minimum, include qualifications for
the individuals who provide the training and instruction in one or

more of the courses listed in division (A)(11) of this section as
selected by the individual seeking the chemical dependency
counselor assistant certificate;

(15) For the purpose of division (A)(3) of section 4758.44,
division (A)(3) of section 4758.45, and division (A)(2) of section
4758.53 of the Revised Code, requirements for prevention-related
education;

(16) For the purpose of section 4758.51 of the Revised Code,
continuing education requirements for individuals who hold a
license or certificate issued under this chapter;

(17) For the purpose of section 4758.51 of the Revised Code,
the number of hours of continuing education that an individual
must complete to have an expired license or certificate restored
under section 4758.26 of the Revised Code;

(18) For the purpose of section 4758.53 of the Revised Code,
the requirements an individual holding a registered applicant
certificate must complete to take an examination administered
pursuant to section 4758.22 of the Revised Code to obtain a
prevention specialist II certificate or prevention specialist I
certificate and the documentation the individual must submit to
the board showing that the individual has completed the
requirements;

(19) The method of determining the amount of time an
individual must wait to apply to the board for a new registered
applicant certificate under division (B) of section 4758.53 of the
Revised Code;

(20) The duties of an independent chemical dependency
counselor licensed under this chapter who supervises a chemical
dependency counselor III under section 4758.56, independent
chemical dependency counselor or chemical dependency counselor III
licensed under this chapter who supervises a chemical dependency

counselor assistant under section 4758.59, or prevention
specialist II or prevention specialist I certified under this
chapter who supervises a registered applicant under section
4758.61 of the Revised Code. The duties may differ.

(21) Anything else necessary to administer this chapter.

(B) All rules adopted under this section shall be adopted in
accordance with Chapter 119. of the Revised Code and any
applicable federal laws and regulations. Initial rules shall be
adopted not later than nine months after the effective date of
this section.

(C) When it adopts rules under this section, the board may
consider standards established by any national association or
other organization representing the interests of those involved in
chemical dependency counseling or alcohol and other drug
prevention services.

Sec. 4758.21. (A) In accordance with rules adopted under
section 4758.20 of the Revised Code and subject to division (B) of
this section, the chemical dependency professionals board shall
establish, and may from time to time adjust, fees to be charged
for the following:

(1) Admitting an individual to an examination administered
pursuant to section 4758.22 of the Revised Code;

(2) Issuing an initial independent chemical dependency
counselor license, chemical dependency counselor III license,
chemical dependency counselor II license, chemical dependency
counselor assistant certificate, prevention specialist II
certificate, prevention specialist I certificate, or registered
applicant certificate;

(3) Renewing an independent chemical dependency counselor
license, chemical dependency counselor III license, chemical

dependency counselor II license, chemical dependency counselor I 737
certificate, chemical dependency counselor assistant certificate, 738
prevention specialist II certificate, prevention specialist I 739
certificate, or registered applicant certificate; 740

(4) Approving continuing education courses under section 741
4758.28 of the Revised Code; 742

(5) Doing anything else the board determines necessary to 743
administer this chapter. 744

(B) The fees established under division (A) of this section 745
are nonrefundable. They shall be in amounts sufficient to cover 746
the necessary expenses of the board in administering this chapter 747
and rules adopted under it. The fees for a license or certificate 748
and the renewal of a license or certificate may differ for the 749
various types of licenses and certificates, but shall not exceed 750
one hundred seventy-five dollars each, unless the board determines 751
that amounts in excess of one hundred seventy-five dollars are 752
needed to cover its necessary expenses in administering this 753
chapter and rules adopted under it and the amounts in excess of 754
one hundred seventy-five dollars are approved by the controlling 755
board. 756

(C) All vouchers of the board shall be approved by the 757
chairperson or executive director of the board, or both, as 758
authorized by the board. 759

Sec. 4758.22. The chemical dependency professionals board 760
shall prepare, cause to be prepared, or procure the use of, and 761
grade, cause to be graded, or procure the grading of, examinations 762
to determine the competence of individuals seeking an independent 763
chemical dependency counselor license, chemical dependency 764
counselor III license, chemical dependency counselor II license, 765
prevention specialist II certificate, or prevention specialist I 766
certificate. The board may develop the examinations or use 767

examinations prepared by state or national organizations that
represent the interests of those involved in chemical dependency
counseling or alcohol and other drug prevention services. The
board shall conduct examinations at least twice each year and
shall determine the level of competence necessary for a passing
score.

An individual may not sit for an examination administered
pursuant to this section unless the individual meets the
requirements to obtain the license or certificate the individual
seeks, other than the requirement to have passed the examination,
and pays the fee established under section 4758.21 of the Revised
Code. An individual who is denied admission to the examination may
appeal the denial in accordance with Chapter 119. of the Revised
Code.

Sec. 4758.23. (A) In rules adopted under section 4758.20 of
the Revised Code, the chemical dependency professionals board
shall establish codes of ethical practice and professional conduct
for the following:

(1) Individuals who hold a valid independent chemical
dependency counselor license, chemical dependency counselor III
license, chemical dependency counselor II license, chemical
dependency counselor I certificate, or chemical dependency
counselor assistant certificate issued under this chapter;

(2) Individuals who hold a valid prevention specialist II
certificate, prevention specialist I certificate, or registered
applicant certificate issued under this chapter.

(B) The codes for individuals identified under division
(A)(1) of this section shall define unprofessional conduct, which
shall include engaging in a dual relationship with a client,
former client, consumer, or former consumer; committing an act of
sexual abuse, misconduct, or exploitation of a client, former

client, consumer, or former consumer; and, except as permitted by
law, violating client or consumer confidentiality.

(C) The codes for individuals identified under division
(A)(1) of this section may be based on any codes of ethical
practice and professional conduct developed by national
associations or other organizations representing the interests of
those involved in chemical dependency counseling. The codes for
individuals identified under division (A)(2) of this section may
be based on any codes of ethical practice and professional conduct
developed by national associations or other organizations
representing the interests of those involved in alcohol and other
drug prevention services. The board may establish standards in the
codes that are more stringent than those established by the
national associations or other organizations.

Sec. 4758.24. (A) The chemical dependency professionals board
shall issue a license or certificate under this chapter to an
individual who meets all of the following requirements:

(1) Is of good moral character as determined in accordance
with rules adopted under section 4758.20 of the Revised Code;

(2) Submits a properly completed application and all other
documentation specified in rules adopted under section 4758.20 of
the Revised Code;

(3) Pays the fee established under section 4758.21 of the
Revised Code for the license or certificate that the individual
seeks;

(4) Meets the requirements to obtain the license or
certificate that the individual seeks as specified in section
4758.40, 4758.41, 4758.42, 4758.43, 4758.44, or 4758.45 of the
Revised Code;

(5) Meets any additional requirements specified in rules

adopted under section 4758.20 of the Revised Code to obtain the
license or certificate that the individual seeks.

(B) The board shall not issue an initial certificate to
practice as a chemical dependency counselor I.

Sec. 4758.25. (A) The chemical dependency professionals board
may enter into a reciprocal agreement with any state that
regulates individuals practicing in the same capacities as those
regulated under this chapter if the board finds that the state has
requirements substantially equivalent to the requirements of this
state to receive a license or certificate under this chapter.

The board may become a member of a national reciprocity
organization that requires its members to have requirements
substantially equivalent to the requirements of this state to
receive a license or certificate to practice in the same
capacities as those regulated under this chapter. If the board
becomes a member of such an organization, the board shall consider
itself to have a reciprocal agreement with the other states that
are also members of the organization.

(B) The board may, by endorsement, issue the appropriate
license or certificate to a resident of a state with which the
board does not have a reciprocal agreement if both of the
following apply:

(1) The board finds that the state has requirements
substantially equivalent to the requirements of this state for
receipt of a license or certificate under this chapter.

(2) The individual submits proof satisfactory to the board of
being currently authorized to practice by that state.

(C) A license or certificate obtained by reciprocity or
endorsement under this section may be renewed or restored under
section 4758.26 of the Revised Code if the individual holding the

license or certificate satisfies the renewal or restoration
requirements established by that section. An individual holding a
license or certificate obtained by reciprocity or endorsement
under this section may obtain, under section 4758.24 of the
Revised Code, a different license or certificate available under
this chapter if the individual meets all of the requirements as
specified in that section for the license or certificate the
individual seeks.

Sec. 4758.26. (A) Except as provided in section 4758.27 of
the Revised Code, a license or certificate issued under this
chapter, other than a registered applicant certificate, expires
two years after it is issued and may be renewed in accordance with
the standard renewal procedure established under Chapter 4745. of
the Revised Code.

(B) Subject to section 4758.30 of the Revised Code and except
as provided in section 4758.27 of the Revised Code, the chemical
dependency professionals board shall renew a license or
certificate issued under this chapter, other than a registered
applicant certificate, if the individual seeking the renewal pays
the renewal fee established under section 4758.21 of the Revised
Code and satisfies the continuing education requirements
established under section 4758.51 of the Revised Code.

(C) Except as provided in section 4758.27 of the Revised
Code, a license or certificate issued under this chapter, other
than a registered applicant certificate, that has expired may be
restored if the individual seeking the restoration, not later than
two years after the license or certificate expires, applies for
restoration of the license or certificate. The board shall issue a
restored license or certificate to the individual if the
individual pays the renewal fee established under section 4758.21
of the Revised Code and satisfies the continuing education

requirements established under section 4758.51 of the Revised Code
for restoring the license or certificate. The board shall not
require an individual to take an examination as a condition of
having an expired license or certificate restored under this
section.

Sec. 4758.27. Until the date that is six years after the
effective date of this section, the chemical dependency
professionals board shall renew a certificate that on the
effective date of this section is accepted under section 3793.07
of the Revised Code as authority to practice as a chemical
dependency counselor I if the individual holding the certificate
renews the certificate in accordance with rules adopted under
section 4758.20 of the Revised Code and pays the renewal fee
established under section 4758.21 of the Revised Code. Subsequent
renewals shall be done under section 4758.26 of the Revised Code.

After the date that is six years after the effective date of
this section, the board shall not renew under this section, or
renew or restore under section 4758.26 of the Revised Code, a
certificate to practice as a certified chemical dependency
counselor I.

Sec. 4758.28. The chemical dependency professionals board
shall approve, in accordance with rules adopted under section
4758.20 of the Revised Code and subject to payment of the fee
established under section 4758.21 of the Revised Code, continuing
education courses of study for individuals who hold a license or
certificate issued under this chapter.

Sec. 4758.29. On receipt of a notice pursuant to section
3123.43 of the Revised Code, the chemical dependency professionals
board shall comply with sections 3123.41 to 3123.50 of the Revised
Code and any applicable rules adopted under section 3123.63 of the

Revised Code with respect to a license or certificate issued
pursuant to this chapter.

Sec. 4758.30. (A) The chemical dependency professionals
board, in accordance with Chapter 119. of the Revised Code, may
refuse to issue a license or certificate applied for under this
chapter; refuse to renew a license or certificate issued under
this chapter; suspend, revoke, or otherwise restrict a license or
certificate issued under this chapter; or reprimand an individual
holding a license or certificate issued under this chapter. These
actions may be taken by the board regarding the applicant for a
license or certificate or the individual holding a license or
certificate for one or more of the following reasons:

(1) Violation of any provision of this chapter or rules
adopted under it;

(2) Knowingly making a false statement on an application for
a license or certificate or for renewal, restoration, or
reinstatement of a license or certificate;

(3) Acceptance of a commission or rebate for referring an
individual to a person who holds a license or certificate issued
by, or who is registered with, an entity of state government,
including persons practicing chemical dependency counseling,
alcohol and other drug prevention services, or fields related to
chemical dependency counseling or alcohol and other drug
prevention services;

(4) Conviction in this or any other state of any crime that
is a felony in this state;

(5) Conviction in this or any other state of a misdemeanor
committed in the course of practice as an independent chemical
dependency counselor, chemical dependency counselor III, chemical
dependency counselor II, chemical dependency counselor I, chemical

dependency counselor assistant, prevention specialist II, 950
prevention specialist I, or registered applicant; 951

(6) Inability to practice as an independent chemical 952
dependency counselor, chemical dependency counselor III, chemical 953
dependency counselor II, chemical dependency counselor I, chemical 954
dependency counselor assistant, prevention specialist II, 955
prevention specialist I, or registered applicant due to abuse of 956
or dependency on alcohol or other drugs or other physical or 957
mental condition; 958

(7) Practicing outside the individual's scope of practice; 959

(8) Practicing without complying with the supervision 960
requirements specified under section 4758.56, 4758.59, or 4758.61 961
of the Revised Code; 962

(9) Violation of the code of ethical practice and 963
professional conduct for chemical dependency counseling or alcohol 964
and other drug prevention services adopted by the board pursuant 965
to section 4758.23 of the Revised Code; 966

(10) Revocation of a license or certificate or voluntary 967
surrender of a license or certificate in another state or 968
jurisdiction for an offense that would be a violation of this 969
chapter. 970

(B) An individual whose license or certificate has been 971
suspended or revoked under this section may apply to the board for 972
reinstatement after an amount of time the board shall determine in 973
accordance with rules adopted under section 4758.20 of the Revised 974
Code. The board may accept or refuse an application for 975
reinstatement. The board may require an examination for 976
reinstatement of a license or certificate that has been suspended 977
or revoked. 978

Sec. 4758.31. The chemical dependency professionals board 979

shall investigate alleged violations of this chapter or the rules
adopted under it and alleged irregularities in the delivery of
chemical dependency counseling services or alcohol and other drug
prevention services by individuals who hold a license or
certificate issued under this chapter. As part of an
investigation, the board may issue subpoenas, examine witnesses,
and administer oaths.

The board may receive any information necessary to conduct an
investigation under this section that has been obtained in
accordance with federal laws and regulations. If the board is
investigating the provision of chemical dependency counseling
services to a couple or group, it is not necessary for both
members of the couple or all members of the group to consent to
the release of information relevant to the investigation.

The board shall ensure, in accordance with rules adopted
under section 4758.20 of the Revised Code, that all records it
holds pertaining to an investigation remain confidential during
the investigation. After the investigation, the records are public
records except as otherwise provided by federal or state law.

Sec. 4758.32. For any hearing it conducts under this chapter,
the chemical dependency professionals board may appoint one of its
voting members to act on behalf of the board. It is not necessary
that the member be an attorney to be appointed. The board shall
make the appointment in writing.

A finding or order of a member appointed to act on behalf of
the board is a finding or order of the board when confirmed by the
board.

Sec. 4758.35. (A) An individual seeking a license or
certificate issued under this chapter shall file with the chemical

dependency professionals board a written application on a form 1010
prescribed by the board. Each form shall state that a false 1011
statement made on the form is the crime of falsification under 1012
section 2921.13 of the Revised Code. 1013

(B) The board shall require an individual or individuals 1014
employed by the board under section 4758.15 of the Revised Code to 1015
do both of the following in accordance with criteria established 1016
by rules adopted under section 4758.20 of the Revised Code: 1017

(1) Receive and review all applications submitted to the 1018
board; 1019

(2) Submit to the board all applications the individual or 1020
individuals recommend the board review based on the criteria 1021
established in the rules. 1022

(C) The board shall review all applications submitted to the 1023
board pursuant to division (B)(2) of this section. 1024

Sec. 4758.36. As part of the review process under division 1025
(C) of section 4758.35 of the Revised Code of an application 1026
submitted by an applicant who has obtained the applicant's 1027
education, experience in chemical dependency counseling or alcohol 1028
and other drug prevention services, or education and experience 1029
outside the United States, the chemical dependency professionals 1030
board shall determine whether the applicant's command of the 1031
English language and education or experience meet the standards 1032
required by this chapter and rules adopted under it. 1033

Sec. 4758.40. An individual seeking an independent chemical 1034
dependency counselor license shall meet either of the following 1035
requirements: 1036

(A) Meet all of the following requirements: 1037

(1) Hold from an accredited educational institution a 1038

master's degree in behavioral sciences that meets the course 1039
requirements specified in rules adopted under section 4758.20 of 1040
the Revised Code; 1041

(2) Have not less than four thousand hours of compensated 1042
work experience in either of the following, not less than eight 1043
hundred hours of which are in chemical dependency counseling; 1044

(a) Chemical dependency services, substance abuse services, 1045
or both types of services; 1046

(b) The practice of psychology, as defined in section 4732.01 1047
of the Revised Code, or the practice of professional counseling or 1048
the practice of social work, both as defined in section 4757.01 of 1049
the Revised Code. 1050

(3) Have a minimum of two hundred seventy hours of training 1051
in chemical dependency that meets the requirements specified in 1052
rules adopted under section 4758.20 of the Revised Code; 1053

(4) Pass one or more examinations administered pursuant to 1054
section 4758.22 of the Revised Code for the purpose of determining 1055
competence to practice as an independent chemical dependency 1056
counselor. 1057

(B) Meet both of the following requirements: 1058

(1) Hold, on the effective date of this section, a 1059
certificate or credentials that were accepted under section 1060
3793.07 of the Revised Code as authority to practice as a 1061
certified chemical dependency counselor III or certified chemical 1062
dependency counselor III-E; 1063

(2) Meet one of the following requirements: 1064

(a) Hold the degree described in division (A)(1) of this 1065
section; 1066

(b) Have held a chemical dependency counselor III, II, or I 1067
certificate for at least eight consecutive years and have not less 1068

than forty clock hours of training on the version of the
diagnostic and statistical manual of mental disorders that is
current at the time of the training. The training must meet the
requirements specified in rules adopted under section 4758.20 of
the Revised Code and have been provided by an individual
authorized under Chapter 4731. of the Revised Code to practice
medicine and surgery or osteopathic medicine and surgery, a
psychologist licensed under Chapter 4732. of the Revised Code, or
a professional clinical counselor or independent social worker
licensed under Chapter 4757. of the Revised Code.

Sec. 4758.41. An individual seeking a chemical dependency
counselor III license shall meet any of the following
requirements:

(A) Meet all of the following requirements:

(1) Hold from an accredited educational institution a
bachelor's degree in a behavioral science that meets the course
requirements specified in rules adopted under section 4758.20 of
the Revised Code;

(2) Have not less than four thousand hours of compensated
work experience in either of the following, not less than eight
hundred work hours of which are in chemical dependency counseling:

(a) Chemical dependency services, substance abuse services,
or both types of services;

(b) The practice of psychology, as defined in section 4732.01
of the Revised Code, or the practice of professional counseling or
the practice of social work, both as defined in section 4757.01 of
the Revised Code.

(3) Have a minimum of two hundred seventy hours of training
in chemical dependency that meets the requirements specified in
rules adopted under section 4758.20 of the Revised Code;

(4) Pass one or more examinations administered pursuant to 1099
section 4758.22 of the Revised Code for the purpose of determining 1100
competence to practice as a chemical dependency counselor III. 1101

(B) Meet both of the following requirements: 1102

(1) Hold, on the effective date of this section, a 1103
certificate or credentials that were accepted under section 1104
3793.07 of the Revised Code as authority to practice as a 1105
certified chemical dependency counselor III or certified chemical 1106
dependency counselor III-E; 1107

(2) Have not less than forty clock hours of training on the 1108
version of the diagnostic and statistical manual of mental 1109
disorders that is current at the time of the training. The 1110
training must meet the requirements specified in rules adopted 1111
under section 4758.20 of the Revised Code and have been provided 1112
by an individual authorized under Chapter 4731. of the Revised 1113
Code to practice medicine and surgery or osteopathic medicine and 1114
surgery, a psychologist licensed under Chapter 4732. of the 1115
Revised Code, or a professional clinical counselor or independent 1116
social worker licensed under Chapter 4757. of the Revised Code. 1117

(C) Meet all of the following requirements: 1118

(1) Hold, on the effective date of this section, a 1119
certificate or credentials that were accepted under section 1120
3793.07 of the Revised Code as authority to practice as a 1121
certified chemical dependency counselor II; 1122

(2) Meet the requirement of division (B)(2) of this section; 1123

(3) Hold a bachelor's degree in a behavioral science. 1124

Sec. 4758.42. An individual seeking a chemical dependency 1125
counselor II license shall meet either of the following 1126
requirements: 1127

<u>(A) Meet all of the following requirements:</u>	1128
<u>(1) Hold from an accredited educational institution an</u>	1129
<u>associate's degree in a behavioral science or a bachelor's degree</u>	1130
<u>in any field;</u>	1131
<u>(2)(a) If the individual holds an associate's degree, have</u>	1132
<u>not less than five thousand hours of compensated or volunteer</u>	1133
<u>work, field placement, intern, or practicum experience in either</u>	1134
<u>of the following, not less than one thousand hours of which are in</u>	1135
<u>chemical dependency counseling:</u>	1136
<u>(i) Chemical dependency services, substance abuse services,</u>	1137
<u>or both types of services;</u>	1138
<u>(ii) The practice of psychology, as defined in section</u>	1139
<u>4732.01 of the Revised Code, or the practice of professional</u>	1140
<u>counseling or the practice of social work, both as defined in</u>	1141
<u>section 4757.01 of the Revised Code.</u>	1142
<u>(b) If the individual holds a bachelor's degree, have not</u>	1143
<u>less than six thousand hours of compensated or volunteer work,</u>	1144
<u>field placement, intern, or practicum experience in either of the</u>	1145
<u>following, not less than one thousand two hundred hours of which</u>	1146
<u>are in chemical dependency counseling:</u>	1147
<u>(i) Chemical dependency services, substance abuse services,</u>	1148
<u>or both types of services;</u>	1149
<u>(ii) The practice of psychology, as defined in section</u>	1150
<u>4732.01 of the Revised Code, or the practice of professional</u>	1151
<u>counseling or the practice of social work, both as defined in</u>	1152
<u>section 4757.01 of the Revised Code.</u>	1153
<u>(3) Have a minimum of two hundred seventy hours of training</u>	1154
<u>in chemical dependency that meets the requirements specified in</u>	1155
<u>rules adopted under section 4758.20 of the Revised Code;</u>	1156
<u>(4) Pass one or more examinations administered pursuant to</u>	1157

section 4758.22 of the Revised Code for the purpose of determining 1158
competence to practice as a chemical dependency counselor II. 1159

(B) Meet both of the following requirements: 1160

(1) Hold a degree described in division (A)(1) of this 1161
section; 1162

(2) Hold, on the effective date of this section, a 1163
certificate or credentials that were accepted under section 1164
3793.07 of the Revised Code as authority to practice as a 1165
certified chemical dependency counselor II. 1166

Sec. 4758.43. An individual seeking a chemical dependency 1167
counselor assistant certificate shall meet either of the following 1168
requirements: 1169

(A) Have at least forty hours of training in chemical 1170
dependency counseling that meets the requirements specified in 1171
rules adopted under section 4758.20 of the Revised Code. 1172

(B) Hold, on the effective date of this section, a 1173
certificate or credentials that were accepted under section 1174
3793.07 of the Revised Code as authority to practice as a 1175
registered candidate. 1176

Sec. 4758.44. An individual seeking a prevention specialist 1177
II certificate shall meet either of the following requirements: 1178

(A) Meet all of the following requirements: 1179

(1) Have compensated work experience in which not less than 1180
fifty per cent of the individual's time was devoted to planning, 1181
coordinating, or delivering alcohol and other drug prevention 1182
services; 1183

(2) Have one of the following: 1184

(a) A bachelor's degree in a behavioral science and at least 1185

six thousand hours of compensated work experience in alcohol and 1186
other drug prevention services; 1187

(b) A master's or doctoral degree in a behavioral science and 1188
at least four thousand hours of compensated work experience in 1189
alcohol and other drug prevention services. 1190

(3) Have at least two hundred seventy hours of 1191
prevention-related education that meets the requirements specified 1192
in rules adopted under section 4758.20 of the Revised Code; 1193

(4) Obtain a registered applicant certificate under this 1194
chapter and comply with the requirements of section 4758.53 of the 1195
Revised Code; 1196

(5) Pass the examination administered pursuant to section 1197
4758.22 of the Revised Code for the purpose of determining 1198
competence to practice as a prevention specialist II. 1199

(B) Hold, on the effective date of this section, a 1200
certificate or credentials that were accepted under section 1201
3793.07 of the Revised Code as authority to practice as a 1202
certified prevention specialist II. 1203

Sec. 4758.45. An individual seeking a prevention specialist I 1204
certificate shall meet either of the following requirements: 1205

(A) Meet all of the following requirements: 1206

(1) Have compensated or volunteer work, field placement, 1207
intern, or practicum experience in which not less than twenty per 1208
cent of the individual's time was devoted to planning or 1209
delivering alcohol and other drug prevention services; 1210

(2) Have one of the following: 1211

(a) At least six thousand hours of compensated or volunteer 1212
work, field placement, intern, or practicum experience in alcohol 1213
and other drug prevention services; 1214

(b) An associate's degree in a behavioral science and at 1215
least four thousand hours of compensated or volunteer work, field 1216
placement, intern, or practicum experience in alcohol and other 1217
drug prevention services; 1218

(c) A bachelor's, master's, or doctoral degree in a 1219
behavioral science and at least two thousand hours of compensated 1220
or volunteer work, field placement, intern, or practicum 1221
experience in alcohol and other drug prevention services. 1222

(3) Have at least one hundred eighty hours of 1223
prevention-related education that meets the requirements specified 1224
in rules adopted under section 4758.20 of the Revised Code; 1225

(4) Obtain a registered applicant certificate under this 1226
chapter and comply with the requirements of section 4758.53 of the 1227
Revised Code; 1228

(5) Pass the examination administered pursuant to section 1229
4758.22 of the Revised Code for the purpose of determining 1230
competence to practice as a prevention specialist I. 1231

(B) Hold, on the effective date of this section, a 1232
certificate or credentials that were accepted under section 1233
3793.07 of the Revised Code as authority to practice as a 1234
certified prevention specialist I. 1235

Sec. 4758.50. An individual who holds a license or 1236
certificate issued under this chapter shall post the license or 1237
certificate in a prominent place at the individual's place of 1238
employment. 1239

Sec. 4758.51. (A) Except as provided in division (B) of this 1240
section and in accordance with rules adopted under section 4758.20 1241
of the Revised Code, each individual who holds a license or 1242
certificate issued under this chapter shall complete during the 1243

period that the license or certificate is in effect not less than
forty clock hours of continuing education as a condition of
receiving a renewed license or certificate. To have an expired
license or certificate restored, an individual shall complete the
number of hours of continuing education specified in rules adopted
under section 4758.20 of the Revised Code.

(B) The chemical dependency professionals board may waive the
continuing education requirements established under this section
for individuals who are unable to fulfill them because of military
service, illness, residence outside the United States, or any
other reason the board considers acceptable.

Sec. 4758.53. (A) Not later than four years after the
effective date of a registered applicant certificate issued under
this chapter, the individual issued the certificate shall submit
to the chemical dependency professionals board documentation
specified in rules adopted under section 4758.20 of the Revised
Code showing that the individual has completed the requirements
specified in those rules to take an examination administered
pursuant to section 4758.22 of the Revised Code to obtain a
prevention specialist II certificate or prevention specialist I
certificate. If the individual submits the required documentation
within the required time, the board shall notify the individual
that the individual meets the requirements to take the
examination. Not later than one year after the board so notifies
the individual, the individual shall take the examination. If the
individual fails the examination, the individual shall do both of
the following:

(1) Retake the examination at least two times per year until
the individual passes the examination;

(2) Not later than two years after the date of the first
examination, renew the registered applicant certificate and

complete forty hours of prevention-related education that meets 1275
the requirements specified in rules adopted under section 4758.20 1276
of the Revised Code. 1277

(B) If an individual holding a registered applicant 1278
certificate fails to meet any of the requirements of division (A) 1279
of this section, the board shall revoke the individual's 1280
registered applicant certificate. The individual may not apply to 1281
the board for a new registered applicant certificate earlier than 1282
a period of time the board shall determine in accordance with 1283
rules adopted under section 4758.20 of the Revised Code. 1284

Sec. 4758.55. An individual holding a valid independent 1285
chemical dependency counselor license may do all of the following: 1286

(A) Diagnose and treat chemical dependency conditions; 1287

(B) Perform treatment planning, assessment, crisis 1288
intervention, individual and group counseling, case management, 1289
and education services as they relate to abuse of and dependency 1290
on alcohol and other drugs; 1291

(C) Refer individuals with nonchemical dependency conditions 1292
to appropriate sources of help. 1293

Sec. 4758.56. (A) An individual holding a valid chemical 1294
dependency counselor III license may do all of the following: 1295

(1) Diagnose chemical dependency conditions under the 1296
supervision of any of the following: 1297

(a) An independent chemical dependency counselor licensed 1298
under this chapter; 1299

(b) An individual authorized under Chapter 4731. of the 1300
Revised Code to practice medicine and surgery or osteopathic 1301
medicine and surgery; 1302

(c) A psychologist licensed under Chapter 4732. of the 1303
Revised Code; 1304

(d) A registered nurse licensed under Chapter 4723. of the 1305
Revised Code or professional clinical counselor or independent 1306
social worker licensed under Chapter 4757. of the Revised Code if 1307
such supervision is consistent with the scope of practice of the 1308
registered nurse, professional clinical counselor, or independent 1309
social worker. 1310

(2) Treat chemical dependency conditions; 1311

(3) Perform treatment planning, assessment, crisis 1312
intervention, individual and group counseling, case management, 1313
and education services as they relate to abuse of and dependency 1314
on alcohol and other drugs; 1315

(4) Refer individuals with nonchemical dependency conditions 1316
to appropriate sources of help. 1317

(B) A chemical dependency counselor III may not practice as 1318
an individual practitioner. 1319

Sec. 4758.57. (A) An individual holding a valid chemical 1320
dependency counselor II license may do both of the following: 1321

(1) Perform assessment, crisis intervention, individual and 1322
group counseling, case management, and education services as they 1323
relate to abuse of and dependency on alcohol and other drugs; 1324

(2) Refer individuals with nonchemical dependency conditions 1325
to appropriate sources of help. 1326

(B) A chemical dependency counselor II may not practice as an 1327
individual practitioner. 1328

Sec. 4758.58. (A) Until six years after the effective date of 1329
this section, an individual holding a valid chemical dependency 1330

counselor I certificate may do both of the following: 1331

(1) Perform assessment, crisis intervention, individual and 1332
group counseling, case management, and education services as they 1333
relate to abuse of and dependency on alcohol and other drugs; 1334

(2) Refer individuals with nonchemical dependency conditions 1335
to appropriate sources of help. 1336

(B) A chemical dependency counselor I may not practice as an 1337
individual practitioner. 1338

Sec. 4758.59. (A) Subject to division (B) of this section, an 1339
individual holding a valid chemical dependency counselor assistant 1340
certificate may do both of the following: 1341

(1) Perform assessment, crisis intervention, individual and 1342
group counseling, case management, and education services as they 1343
relate to abuse of or dependency on alcohol and other drugs; 1344

(2) Refer individuals with nonchemical dependency conditions 1345
to appropriate sources of help. 1346

(B) An individual holding a valid chemical dependency 1347
counselor assistant certificate may perform the tasks specified in 1348
division (A) of this section only while under the supervision of 1349
any of the following: 1350

(1) An independent chemical dependency counselor or chemical 1351
dependency counselor III licensed under this chapter; 1352

(2) An individual authorized under Chapter 4731. of the 1353
Revised Code to practice medicine and surgery or osteopathic 1354
medicine and surgery; 1355

(3) A psychologist licensed under Chapter 4732. of the 1356
Revised Code; 1357

(4) A registered nurse licensed under Chapter 4723. of the 1358
Revised Code or professional clinical counselor or independent 1359

social worker licensed under Chapter 4757. of the Revised Code if 1360
such supervision is consistent with the scope of practice of the 1361
registered nurse, professional clinical counselor, or independent 1362
social worker. 1363

(C) A chemical dependency counselor assistant may not 1364
practice as an individual practitioner. 1365

Sec. 4758.60. An individual who holds a valid prevention 1366
specialist II certificate or prevention specialist I certificate 1367
issued under this chapter may engage in the practice of alcohol 1368
and other drug prevention services. 1369

Sec. 4758.61. An individual who holds a valid registered 1370
applicant certificate issued under this chapter may engage in the 1371
practice of alcohol and other drug prevention services under the 1372
supervision of an individual holding a valid prevention specialist 1373
II certificate or prevention specialist I certificate issued under 1374
this chapter. 1375

Sec. 4758.70. Except to the extent of providing services 1376
authorized by this chapter, this chapter does not authorize any 1377
individual to engage in the practice of psychology as defined in 1378
section 4732.01 of the Revised Code. 1379

Except to the extent of providing services authorized by this 1380
chapter, this chapter does not authorize any individual to engage 1381
in the practice of professional counseling or social work, as 1382
those terms are defined in section 4757.01 of the Revised Code. 1383

Sec. 4758.71. Nothing in this chapter or the rules adopted 1384
under it authorizes an individual who holds a license or 1385
certificate issued under this chapter to admit a patient to a 1386
hospital or requires a hospital to allow any such individual to 1387

admit a patient.

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Sec. 4758.99. Whoever violates division (A) or (B) of section
4758.02 of the Revised Code is guilty of a misdemeanor of the
fourth degree on a first offense; on each subsequent offense, the
person is guilty of a misdemeanor of the third degree.

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Section 2. That existing sections 125.22, 3793.07, 4743.05,
4745.01, and 4757.41 of the Revised Code are hereby repealed.

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Section 3. That Sections 6 and 7 of Am. Sub. S.B. 172 of the
123rd General Assembly are hereby repealed. That Section 8 of Am.
Sub. S.B. 172 of the 123rd General Assembly, as amended by Am.
Sub. S.B. 261 of the 124th General Assembly, is hereby repealed.

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This repeal prevents the repeal and reenactment of section
3793.07 of the Revised Code that was to have been effective July
1, 2003, and thereby removes all limitation upon the continued
existence of section 3793.07 of the Revised Code as presented in
Section 1 of this act.

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Section 4. Within ninety days after the effective date of
this section, the Governor shall appoint the initial members of
the Chemical Dependency Professionals Board in accordance with
section 4758.10 of the Revised Code. Such an appointee is not
required, at the time of appointment, to hold an independent
chemical dependency counselor license, chemical dependency
counselor III license, prevention specialist II certificate, or
prevention specialist I certificate. However, the appointee shall
possess at the time of appointment any education, work experience,
and training standards as specified in Chapter 4758. of the
Revised Code that are necessary to obtain such a license or
certificate. The appointee may remain a board member only if the
appointee obtains an independent chemical dependency counselor

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license, chemical dependency counselor III license, prevention 1417
specialist II certificate, or prevention specialist I certificate, 1418
as appropriate for the member's appointment, not later than one 1419
year after the effective date of this section. 1420

Section 5. The Department of Alcohol and Drug Addiction 1421
Services shall work with the Chemical Dependency Professionals 1422
Board to enable the orderly transition from the Department's 1423
issuance of certificates and credentials under section 3793.07 of 1424
the Revised Code to the Board's issuance of certificates and 1425
licenses under Chapter 4758. of the Revised Code. The transition 1426
shall be completed at the earlier of the following: 1427

(A) The date, which shall be specified in an agreement 1428
between the Department and Board, on which the Board is to assume 1429
the department's duties; 1430

(B) The date that is two years after the effective date of 1431
this section. 1432

Section 6. All items in this section are hereby appropriated 1433
as designated out of any moneys in the state treasury to the 1434
credit of the Occupational Licensing and Regulatory Fund. For all 1435
appropriations made in this act, those in the first column are for 1436
fiscal year 2002 and those in the second column are for fiscal 1437
year 2003. The appropriations made in this act are in addition to 1438
any other appropriations made for the 2001-2003 biennium. 1439

CDP CHEMICAL DEPENDENCY PROFESSIONALS BOARD				1440
General Services Fund Group				1441
4K9	930-609	Chemical Dependency	\$ 0 \$ 100,518	1442
Professionals				
Operating Expenses				
TOTAL	GSF	General Services Fund	\$ 0 \$ 100,518	1443
Group				
TOTAL ALL BUDGET FUND GROUPS			\$ 0 \$ 100,518	1444

Within the limits set forth in this act, the Director of 1445
Budget and Management shall establish accounts indicating source 1446
and amount of funds for each appropriation made in this act, and 1447
shall determine the form and manner in which appropriation 1448
accounts shall be maintained. Expenditures from appropriations 1449
contained in this act shall be accounted for as though made in Am. 1450
Sub. H.B. 94 of the 124th General Assembly. 1451

The appropriations made in this act are subject to all 1452
provisions of Am. Sub. H.B. 94 of the 124th General Assembly that 1453
are generally applicable to such appropriations. 1454

Section 7. The codified and uncodified sections of law 1455
contained in this act, and the items of law of which they are 1456
composed, are not subject to the referendum. Therefore, under Ohio 1457
Constitution, Article II, Section 1d and section 1.471 of the 1458
Revised Code, the codified and uncodified sections of law 1459
contained in this act and the items of law of which they are 1460
composed go into immediate effect when this act becomes law. 1461