

**As Reported by the House Finance and Appropriations
Committee**

**124th General Assembly
Regular Session
2001-2002**

Sub. H. B. No. 496

**REPRESENTATIVES Peterson, Clancy, Britton, Carmichael, Evans, Fedor,
Hagan, Hollister, Latta, McGregor, R. Miller, Redfern, Reinhard, Rhine,
Schmidt, Schuring, Setzer, Webster, Willamowski, Olman, Fessler, Calvert,
D. Miller, Barrett, Hartnett**

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; and to repeal Sections 6, 7,	7
and 8 of Am. Sub. S.B. 172 of the 123rd General	8
Assembly to create the Chemical Dependency	9
Professionals Board, to require licensure or	10
certification of chemical dependency counselors, to	11
authorize the certification of alcohol and other	12
drug prevention specialists, and to make an	13
appropriation.	14

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

Section 1. That sections 125.22, 3793.07, 4743.05, 4745.01,	15
and 4757.41 be amended and sections 4758.01, 4758.02, 4758.03,	16
4758.04, 4758.06, 4758.10, 4758.11, 4758.12, 4758.13, 4758.15,	17

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

Sec. 125.22. (A) The department of administrative services 25
shall establish the central service agency to perform routine 26
support for the following boards and commissions: 27

- (1) State board of examiners of architects; 28
- (2) Barber board; 29
- (3) State chiropractic board; 30
- (4) State board of cosmetology; 31
- (5) Accountancy board; 32
- (6) State dental board; 33
- (7) State board of optometry; 34
- (8) Ohio occupational therapy, physical therapy, and athletic 35
trainers board; 36
- (9) State board of registration for professional engineers 37
and surveyors; 38
- (10) State board of sanitarian registration; 39
- (11) Board of embalmers and funeral directors; 40
- (12) State board of psychology; 41
- (13) Ohio optical dispensers board; 42
- (14) Board of speech pathology and audiology; 43
- (15) Counselor and social worker board; 44

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(16) State veterinary medical licensing board;	45
(17) Ohio board of dietetics;	46
(18) Commission on Hispanic-Latino affairs;	47
(19) Ohio respiratory care board;	48
(20) Ohio commission on African-American males;	49
<u>(21) Chemical dependency professionals board.</u>	50
(B)(1) Notwithstanding any other section of the Revised Code,	51
the agency shall perform the following routine support services	52
for the boards and commissions named in division (A) of this	53
section unless the controlling board exempts a board or commission	54
from this requirement on the recommendation of the director of	55
administrative services:	56
(a) Preparing and processing payroll and other personnel	57
documents;	58
(b) Preparing and processing vouchers, purchase orders,	59
encumbrances, and other accounting documents;	60
(c) Maintaining ledgers of accounts and balances;	61
(d) Preparing and monitoring budgets and allotment plans in	62
consultation with the boards and commissions;	63
(e) Other routine support services that the director of	64
administrative services considers appropriate to achieve	65
efficiency.	66
(2) The agency may perform other services which a board or	67
commission named in division (A) of this section delegates to the	68
agency and the agency accepts.	69
(3) The agency may perform any service for any professional	70
or occupational licensing board not named in division (A) of this	71
section or any commission if the board or commission requests such	72
service and the agency accepts.	73

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(C) The director of administrative services shall be the 74
appointing authority for the agency. 75

(D) The agency shall determine the fees to be charged to the 76
boards and commissions, which shall be in proportion to the 77
services performed for each board or commission. 78

(E) Each board or commission named in division (A) of this 79
section and any other board or commission requesting services from 80
the agency shall pay these fees to the agency from the general 81
revenue fund maintenance account of the board or commission or 82
from such other fund as the operating expenses of the board or 83
commission are paid. Any amounts set aside for a fiscal year by a 84
board or commission to allow for the payment of fees shall be used 85
only for the services performed by the agency in that fiscal year. 86
All receipts collected by the agency shall be deposited in the 87
state treasury to the credit of the central service agency fund, 88
which is hereby created. All expenses incurred by the agency in 89
performing services for the boards or commissions shall be paid 90
from the fund. 91

(F) Nothing in this section shall be construed as a grant of 92
authority for the central service agency to initiate or deny 93
personnel or fiscal actions for the boards and commissions. 94

Sec. 3793.07. (A) As used in this section: 95

(1) "Medicare program" means the program established under 96
Title XVIII of the "Social Security Act," 49 Stat. 620 (1935), 42 97
U.S.C. 301, as amended; 98

(2) "Medicaid program" means the program established under 99
Title XIX of the "Social Security Act." 100

(B) The Except as provided in division (D) of this section, 101
the department of alcohol and drug addiction services shall 102
establish and administer a process for the certification or 103

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

The department shall cease to administer its process for the 115
certification or credentialing of chemical dependency counselors 116
and alcohol and other drug prevention specialists under this 117
section at the earlier of the following: 118

(1) The date, which shall be specified in an agreement 119
between the department and chemical dependency professionals 120
board, on which the board is to assume, under Chapter 4758. of the 121
Revised Code, the department's certification duties; 122

(2) Two years after the effective date of this amendment. 123

(C) The department shall adopt rules in accordance with 124
Chapter 119. of the Revised Code establishing standards and 125
procedures for the certification or credentialing process. The 126
rules shall include the following: 127

(1) Eligibility requirements; 128

(2) Application procedures; 129

(3) Minimum educational and clinical training requirements 130
that must be met for initial certification or credentialing; 131

(4) Continuing education and training requirements for 132
certified or credentialed individuals; 133

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(5) Application and renewal fees that do not exceed the cost incurred by the department in implementing and administering the process;	134 135 136
(6) Administration or approval of examinations;	137
(7) Investigation of complaints and alleged violations of this section;	138 139
(8) Maintenance of the confidentiality of the department's investigative records;	140 141
(9) Disciplinary actions, including application denial and suspension or revocation of certification or credentials;	142 143
(10) Any other rules the department considers necessary to establish or administer the certification or credentialing process.	144 145 146
<u>(D)(1) Except as provided in division (D)(2) of this section, the department shall not issue an initial certificate or credential to practice as a chemical dependency counselor I, but may renew such a certificate or credential issued prior to the effective date of this amendment or pursuant to division (D)(2) of this section until the department ceases to administer the certification and credentialing process under this section.</u>	147 148 149 150 151 152 153
<u>(2) The department may issue an initial certificate or credential to practice as a chemical dependency counselor I to an individual if the individual submitted the application for certification or credentials to the department prior to the effective date of this amendment.</u>	154 155 156 157 158
<u>(E)</u> The department shall investigate alleged violations of this section or the rules adopted under it. As part of its investigation, the department may issue subpoenas, examine witnesses, and administer oaths. The department shall ensure that all records it holds pertaining to an investigation remain	159 160 161 162 163

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confidential.

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

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

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

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

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

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

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

(H) Certifications made and credentials issued by the Ohio credentialing board for chemical dependency professionals prior to the date the department establishes its certification or credentialing process under this section shall continue to be

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accepted by the department until, with respect to any particular 195
individual, one of the following occurs: 196

(1) The individual's certification or credentials from the 197
board have expired. 198

(2) The individual's certification or credentials from the 199
board would be suspended or revoked by the department if the 200
certification or credentials had been issued by the department 201
under this section. 202

Sec. 4743.05. Except as otherwise provided in sections 203
4701.20 and 4729.65 of the Revised Code, all money collected under 204
Chapters 3773., 4701., 4703., 4709., 4713., 4715., 4717., 4723., 205
4725., 4729., 4732., 4733., 4734., 4736., 4741., 4753., 4755., 206
4757., 4758., 4759., and 4761. of the Revised Code, and until 207
December 31, 2004, money collected under Chapter 4779. of the 208
Revised Code, shall be paid into the state treasury to the credit 209
of the occupational licensing and regulatory fund, which is hereby 210
created for use in administering such chapters. 211

At the end of each quarter, the director of budget and 212
management shall transfer from the occupational licensing and 213
regulatory fund to the nurse education assistance fund created in 214
section 3333.28 of the Revised Code the amount certified to the 215
director under division (B) of section 4723.08 of the Revised 216
Code. 217

At the end of each quarter, the director shall transfer from 218
the occupational licensing and regulatory fund to the certified 219
public accountant education assistance fund created in section 220
4701.26 of the Revised Code the amount certified to the director 221
under division (H)(2) of section 4701.10 of the Revised Code. 222

Sec. 4745.01. (A) "Standard renewal procedure," as used in 223
Chapters 905., 907., 909., 911., 913., 915., 918., 921., 923., 224

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

(B) "Licensing agency," as used in this chapter, means any 232
department, division, board, section of a board, or other state 233
governmental unit subject to the standard renewal procedure, as 234
defined in this section, and authorized by the Revised Code to 235
issue a license to engage in a specific profession, occupation, or 236
occupational activity, or to have charge of and operate certain 237
specified equipment, machinery, or premises. 238

(C) "License," as used in this chapter, means a license, 239
certificate, permit, card, or other authority issued or conferred 240
by a licensing agency by authority of which the licensee has or 241
claims the privilege to engage in the profession, occupation, or 242
occupational activity, or to have control of and operate certain 243
specific equipment, machinery, or premises, over which the 244
licensing agency has jurisdiction. 245

(D) "Licensee," as used in this chapter, means either the 246
person to whom the license is issued or renewed by a licensing 247
agency, or the person, partnership, or corporation at whose 248
request the license is issued or renewed. 249

(E) "Renewal" and "renewed," as used in this chapter and in 250
the chapters of the Revised Code specified in division (A) of this 251
section, includes the continuing licensing procedure provided in 252
Chapter 3748. of the Revised Code and rules adopted under it and 253
in sections 1321.05 and 3921.33 of the Revised Code, and as 254
applied to those continuing licenses any reference in this chapter 255
to the date of expiration of any license shall be construed to 256

mean the due date of the annual or other fee for the continuing
license.

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

(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;

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

(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;

(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;

(5) Any person employed in the civil service as defined in 287
section 124.01 of the Revised Code while engaging in social work 288
or professional counseling as a civil service employee; 289

(6) A student in an accredited educational institution while 290
carrying out activities that are part of the student's prescribed 291
course of study if the activities are supervised as required by 292
the educational institution and if the student does not hold 293
herself or himself out as a person licensed or registered under 294
this chapter; 295

(7) ~~Individuals~~ Until the date the department of alcohol and 296
drug addiction services ceases to administer its process for the 297
certification or credentialing of chemical dependency counselors 298
and alcohol and other drug prevention specialists under section 299
3793.07 of the Revised Code, as specified in division (B) of that 300
section, individuals with certification or credentials accepted by 301
the department of ~~alcohol and drug addiction services~~ under that 302
section 3793.07 of the ~~Revised Code~~ who are acting within the 303
scope of their certification or credentials as members of the 304
profession of ~~alcoholism counseling, drug abuse counseling, or~~ 305
chemical dependency counseling, or as ~~alcoholism or alcohol and~~ 306
other drug ~~abuse~~ prevention ~~consultants or~~ specialists; 307

(8) Individuals who hold a license or certificate under 308
Chapter 4758. of the Revised Code who are acting within the scope 309
of their license or certificate as members of the profession of 310
chemical dependency counseling or alcohol and other drug 311
prevention services; 312

(9) Any person employed by the American red cross while 313
engaging in activities relating to services for military families 314
and veterans and disaster relief, as described in the "American 315
National Red Cross Act," 33 Stat. 599 (1905), 36 U.S.C.A. 1, as 316
amended; 317

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~~(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,

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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:

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(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

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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

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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

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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.

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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.

Sec. 4758.12. The voting members of the chemical dependency
professionals board shall receive an amount fixed under division

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(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.

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.

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.

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.

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

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

chapter and the rules adopted under it.

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

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

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

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

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

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

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(2) For the purpose of section 4758.23 of the Revised Code,

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codes of ethical practice and professional conduct for individuals 588
who hold a license or certificate issued under this chapter; 589

(3) For the purpose of section 4758.24 of the Revised Code, 590
all of the following: 591

(a) Good moral character requirements for an individual who 592
seeks or holds a license or certificate issued under this chapter; 593

(b) The documents that an individual seeking such a license 594
or certificate must submit to the board; 595

(c) Requirements to obtain the license or certificate that 596
are in addition to the requirements established under sections 597
4758.40, 4758.41, 4758.42, 4758.43, 4758.44, and 4758.45 of the 598
Revised Code. The additional requirements may include 599
preceptorships. 600

(4) Procedures for renewal of a chemical dependency counselor 601
I license under section 4758.27 of the Revised Code; 602

(5) For the purpose of section 4758.28 of the Revised Code, 603
requirements for approval of continuing education courses of study 604
for individuals who hold a license or certificate issued under 605
this chapter; 606

(6) For the purpose of section 4758.30 of the Revised Code, 607
the intervention for and treatment of an individual holding a 608
license or certificate issued under this chapter whose abilities 609
to practice are impaired due to abuse of or dependency on alcohol 610
or other drugs or other physical or mental condition; 611

(7) Requirements governing reinstatement of a suspended or 612
revoked license or certificate under division (B) of section 613
4758.30 of the Revised Code, including requirements for 614
determining the amount of time an individual must wait to apply 615
for reinstatement; 616

(8) For the purpose of section 4758.31 of the Revised Code, 617

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methods of ensuring that all records the board holds pertaining to
an investigation remain confidential during the investigation;

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

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

(a) Theories of counseling and psychotherapy;

(b) Counseling procedures;

(c) Group process and techniques;

(d) Relationship therapy;

(e) Research methods and statistics;

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

(g) Psychopathology;

(h) Human development;

(i) Cultural competence in counseling;

(j) Ethics.

(11) For the purpose of division (A)(3) of section 4758.40,
division (A)(3) of section 4758.41, and division (A)(3) of section
4758.42, training requirements for chemical dependency that shall,
at a minimum, include qualifications for the individuals who
provide the training and instruction in all of the following
courses:

(a) Theories of addiction;

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<u>(b) Counseling procedures and strategies with addicted populations;</u>	646
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<u>(c) Group process and techniques working with addicted populations;</u>	648
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<u>(d) Assessment and diagnosis of addiction;</u>	650
<u>(e) Relationship counseling with addicted populations;</u>	651
<u>(f) Pharmacology;</u>	652
<u>(g) Prevention strategies;</u>	653
<u>(h) Treatment planning;</u>	654
<u>(i) Legal and ethical issues.</u>	655
<u>(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;</u>	656
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<u>(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;</u>	664
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<u>(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;</u>	667
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<u>(15) For the purpose of division (A)(3) of section 4758.44,</u>	674

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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
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.

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(21) Anything else necessary to administer this chapter. 706

(B) All rules adopted under this section shall be adopted in 707
accordance with Chapter 119. of the Revised Code and any 708
applicable federal laws and regulations. Initial rules shall be 709
adopted not later than nine months after the effective date of 710
this section. 711

(C) When it adopts rules under this section, the board may 712
consider standards established by any national association or 713
other organization representing the interests of those involved in 714
chemical dependency counseling or alcohol and other drug 715
prevention services. 716

Sec. 4758.21. (A) In accordance with rules adopted under 717
section 4758.20 of the Revised Code and subject to division (B) of 718
this section, the chemical dependency professionals board shall 719
establish, and may from time to time adjust, fees to be charged 720
for the following: 721

(1) Admitting an individual to an examination administered 722
pursuant to section 4758.22 of the Revised Code; 723

(2) Issuing an initial independent chemical dependency 724
counselor license, chemical dependency counselor III license, 725
chemical dependency counselor II license, chemical dependency 726
counselor assistant certificate, prevention specialist II 727
certificate, prevention specialist I certificate, or registered 728
applicant certificate; 729

(3) Renewing an independent chemical dependency counselor 730
license, chemical dependency counselor III license, chemical 731
dependency counselor II license, chemical dependency counselor I 732
certificate, chemical dependency counselor assistant certificate, 733
prevention specialist II certificate, prevention specialist I 734
certificate, or registered applicant certificate; 735

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(4) Approving continuing education courses under section 736
4758.28 of the Revised Code; 737

(5) Doing anything else the board determines necessary to 738
administer this chapter. 739

(B) The fees established under division (A) of this section 740
are nonrefundable. They shall be in amounts sufficient to cover 741
the necessary expenses of the board in administering this chapter 742
and rules adopted under it. The fees for a license or certificate 743
and the renewal of a license or certificate may differ for the 744
various types of licenses and certificates, but shall not exceed 745
one hundred seventy-five dollars each, unless the board determines 746
that amounts in excess of one hundred seventy-five dollars are 747
needed to cover its necessary expenses in administering this 748
chapter and rules adopted under it and the amounts in excess of 749
one hundred seventy-five dollars are approved by the controlling 750
board. 751

(C) All vouchers of the board shall be approved by the 752
chairperson or executive director of the board, or both, as 753
authorized by the board. 754

Sec. 4758.22. The chemical dependency professionals board 755
shall prepare, cause to be prepared, or procure the use of, and 756
grade, cause to be graded, or procure the grading of, examinations 757
to determine the competence of individuals seeking an independent 758
chemical dependency counselor license, chemical dependency 759
counselor III license, chemical dependency counselor II license, 760
prevention specialist II certificate, or prevention specialist I 761
certificate. The board may develop the examinations or use 762
examinations prepared by state or national organizations that 763
represent the interests of those involved in chemical dependency 764
counseling or alcohol and other drug prevention services. The 765
board shall conduct examinations at least twice each year and 766

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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

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(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

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practice as a chemical dependency counselor I.

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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.

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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.

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(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:

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(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.

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

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(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

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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

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having an expired license or certificate restored under this
section.

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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 4758.27 of the Revised Code.

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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.

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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.

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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.

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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, prevention specialist I, or registered applicant;

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(6) Inability to 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, prevention specialist I, or registered applicant due to abuse of or dependency on alcohol or other drugs or other physical or mental condition; 947
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(7) Practicing outside the individual's scope of practice; 954

(8) Practicing without complying with the supervision requirements specified under section 4758.56, 4758.59, or 4758.61 of the Revised Code; 955
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(9) Violation of the code of ethical practice and professional conduct for chemical dependency counseling or alcohol and other drug prevention services adopted by the board pursuant to section 4758.23 of the Revised Code; 958
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(10) Revocation of a license or certificate or voluntary surrender of a license or certificate in another state or jurisdiction for an offense that would be a violation of this chapter. 962
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(B) An individual whose license or certificate has been suspended or revoked under this section may apply to the board for reinstatement after an amount of time the board shall determine in accordance with rules adopted under section 4758.20 of the Revised Code. The board may accept or refuse an application for reinstatement. The board may require an examination for reinstatement of a license or certificate that has been suspended or revoked. 966
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Sec. 4758.31. The chemical dependency professionals board shall investigate alleged violations of this chapter or the rules adopted under it and alleged irregularities in the delivery of 974
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chemical dependency counseling services or alcohol and other drug 977
prevention services by individuals who hold a license or 978
certificate issued under this chapter. As part of an 979
investigation, the board may issue subpoenas, examine witnesses, 980
and administer oaths. 981

The board may receive any information necessary to conduct an 982
investigation under this section that has been obtained in 983
accordance with federal laws and regulations. If the board is 984
investigating the provision of chemical dependency counseling 985
services to a couple or group, it is not necessary for both 986
members of the couple or all members of the group to consent to 987
the release of information relevant to the investigation. 988

The board shall ensure, in accordance with rules adopted 989
under section 4758.20 of the Revised Code, that all records it 990
holds pertaining to an investigation remain confidential during 991
the investigation. After the investigation, the records are public 992
records except as otherwise provided by federal or state law. 993

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Sec. 4758.32. For any hearing it conducts under this chapter, 995
the chemical dependency professionals board may appoint one of its 996
voting members to act on behalf of the board. It is not necessary 997
that the member be an attorney to be appointed. The board shall 998
make the appointment in writing. 999

A finding or order of a member appointed to act on behalf of 1000
the board is a finding or order of the board when confirmed by the 1001
board. 1002

Sec. 4758.35. (A) An individual seeking a license or 1003
certificate issued under this chapter shall file with the chemical 1004
dependency professionals board a written application on a form 1005
prescribed by the board. Each form shall state that a false 1006

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statement made on the form is the crime of falsification under 1007
section 2921.13 of the Revised Code. 1008

(B) The board shall require an individual or individuals 1009
employed by the board under section 4758.15 of the Revised Code to 1010
do both of the following in accordance with criteria established 1011
by rules adopted under section 4758.20 of the Revised Code: 1012

(1) Receive and review all applications submitted to the 1013
board; 1014

(2) Submit to the board all applications the individual or 1015
individuals recommend the board review based on the criteria 1016
established in the rules. 1017

(C) The board shall review all applications submitted to the 1018
board pursuant to division (B)(2) of this section. 1019

Sec. 4758.36. As part of the review process under division 1020
(C) of section 4758.35 of the Revised Code of an application 1021
submitted by an applicant who has obtained the applicant's 1022
education, experience in chemical dependency counseling or alcohol 1023
and other drug prevention services, or education and experience 1024
outside the United States, the chemical dependency professionals 1025
board shall determine whether the applicant's command of the 1026
English language and education or experience meet the standards 1027
required by this chapter and rules adopted under it. 1028

Sec. 4758.40. An individual seeking an independent chemical 1029
dependency counselor license shall meet either of the following 1030
requirements: 1031

(A) Meet all of the following requirements: 1032

(1) Hold from an accredited educational institution a 1033
master's degree in behavioral sciences that meets the course 1034
requirements specified in rules adopted under section 4758.20 of 1035

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<u>the Revised Code;</u>	1036
<u>(2) Have not less than four thousand hours of compensated</u>	1037
<u>work experience in either of the following, not less than eight</u>	1038
<u>hundred hours of which are in chemical dependency counseling:</u>	1039
<u>(a) Chemical dependency services, substance abuse services,</u>	1040
<u>or both types of services;</u>	1041
<u>(b) The practice of psychology, as defined in section 4732.01</u>	1042
<u>of the Revised Code, or the practice of professional counseling or</u>	1043
<u>the practice of social work, both as defined in section 4757.01 of</u>	1044
<u>the Revised Code.</u>	1045
<u>(3) Have a minimum of two hundred seventy hours of training</u>	1046
<u>in chemical dependency that meets the requirements specified in</u>	1047
<u>rules adopted under section 4758.20 of the Revised Code;</u>	1048
<u>(4) Pass one or more examinations administered pursuant to</u>	1049
<u>section 4758.22 of the Revised Code for the purpose of determining</u>	1050
<u>competence to practice as an independent chemical dependency</u>	1051
<u>counselor.</u>	1052
<u>(B) Meet both of the following requirements:</u>	1053
<u>(1) Hold, on the effective date of this section, a</u>	1054
<u>certificate or credentials that were accepted under section</u>	1055
<u>3793.07 of the Revised Code as authority to practice as a</u>	1056
<u>certified chemical dependency counselor III or certified chemical</u>	1057
<u>dependency counselor III-E;</u>	1058
<u>(2) Meet one of the following requirements:</u>	1059
<u>(a) Hold the degree described in division (A)(1) of this</u>	1060
<u>section;</u>	1061
<u>(b) Have held a chemical dependency counselor III, II, or I</u>	1062
<u>certificate for at least eight consecutive years and have not less</u>	1063
<u>than forty clock hours of training on the version of the</u>	1064
<u>diagnostic and statistical manual of mental disorders that is</u>	1065

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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
section 4758.22 of the Revised Code for the purpose of determining

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<u>competence to practice as a chemical dependency counselor III.</u>	1096
<u>(B) Meet both of the following requirements:</u>	1097
<u>(1) Hold, on the effective date of this section, a</u>	1098
<u>certificate or credentials that were accepted under section</u>	1099
<u>3793.07 of the Revised Code as authority to practice as a</u>	1100
<u>certified chemical dependency counselor III or certified chemical</u>	1101
<u>dependency counselor III-E;</u>	1102
<u>(2) Have not less than forty clock hours of training on the</u>	1103
<u>version of the diagnostic and statistical manual of mental</u>	1104
<u>disorders that is current at the time of the training. The</u>	1105
<u>training must meet the requirements specified in rules adopted</u>	1106
<u>under section 4758.20 of the Revised Code and have been provided</u>	1107
<u>by an individual authorized under Chapter 4731. of the Revised</u>	1108
<u>Code to practice medicine and surgery or osteopathic medicine and</u>	1109
<u>surgery, a psychologist licensed under Chapter 4732. of the</u>	1110
<u>Revised Code, or a professional clinical counselor or independent</u>	1111
<u>social worker licensed under Chapter 4757. of the Revised Code.</u>	1112
<u>(C) Meet all of the following requirements:</u>	1113
<u>(1) Hold, on the effective date of this section, a</u>	1114
<u>certificate or credentials that were accepted under section</u>	1115
<u>3793.07 of the Revised Code as authority to practice as a</u>	1116
<u>certified chemical dependency counselor II;</u>	1117
<u>(2) Meet the requirement of division (B)(2) of this section;</u>	1118
<u>(3) Hold a bachelor's degree in a behavioral science.</u>	1119
<u>Sec. 4758.42. An individual seeking a chemical dependency</u>	1120
<u>counselor II license shall meet either of the following</u>	1121
<u>requirements:</u>	1122
<u>(A) Meet all of the following requirements:</u>	1123
<u>(1) Hold from an accredited educational institution an</u>	1124

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associate's degree in a behavioral science or a bachelor's degree 1125
in any field; 1126

(2)(a) If the individual holds an associate's degree, have 1127
not less than five thousand hours of compensated or volunteer 1128
work, field placement, intern, or practicum experience in either 1129
of the following, not less than one thousand hours of which are in 1130
chemical dependency counseling: 1131

(i) Chemical dependency services, substance abuse services, 1132
or both types of services; 1133

(ii) The practice of psychology, as defined in section 1134
4732.01 of the Revised Code, or the practice of professional 1135
counseling or the practice of social work, both as defined in 1136
section 4757.01 of the Revised Code. 1137

(b) If the individual holds a bachelor's degree, have not 1138
less than six thousand hours of compensated or volunteer work, 1139
field placement, intern, or practicum experience in either of the 1140
following, not less than one thousand two hundred hours of which 1141
are in chemical dependency counseling: 1142

(i) Chemical dependency services, substance abuse services, 1143
or both types of services; 1144

(ii) The practice of psychology, as defined in section 1145
4732.01 of the Revised Code, or the practice of professional 1146
counseling or the practice of social work, both as defined in 1147
section 4757.01 of the Revised Code. 1148

(3) Have a minimum of two hundred seventy hours of training 1149
in chemical dependency that meets the requirements specified in 1150
rules adopted under section 4758.20 of the Revised Code; 1151

(4) Pass one or more examinations administered pursuant to 1152
section 4758.22 of the Revised Code for the purpose of determining 1153
competence to practice as a chemical dependency counselor II. 1154

(B) Meet both of the following requirements: 1155

(1) Hold a degree described in division (A)(1) of this 1156
section; 1157

(2) Hold, on the effective date of this section, a 1158
certificate or credentials that were accepted under section 1159
3793.07 of the Revised Code as authority to practice as a 1160
certified chemical dependency counselor II. 1161

Sec. 4758.43. An individual seeking a chemical dependency 1162
counselor assistant certificate shall meet either of the following 1163
requirements: 1164

(A) Have at least forty hours of training in chemical 1165
dependency counseling that meets the requirements specified in 1166
rules adopted under section 4758.20 of the Revised Code. 1167

(B) Hold, on the effective date of this section, a 1168
certificate or credentials that were accepted under section 1169
3793.07 of the Revised Code as authority to practice as a 1170
registered candidate. 1171

Sec. 4758.44. An individual seeking a prevention specialist 1172
II certificate shall meet either of the following requirements: 1173

(A) Meet all of the following requirements: 1174

(1) Have compensated work experience in which not less than 1175
fifty per cent of the individual's time was devoted to planning, 1176
coordinating, or delivering alcohol and other drug prevention 1177
services; 1178

(2) Have one of the following: 1179

(a) A bachelor's degree in a behavioral science and at least 1180
six thousand hours of compensated work experience in alcohol and 1181
other drug prevention services; 1182

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(b) A master's or doctoral degree in a behavioral science and 1183
at least four thousand hours of compensated work experience in 1184
alcohol and other drug prevention services. 1185

(3) Have at least two hundred seventy hours of 1186
prevention-related education that meets the requirements specified 1187
in rules adopted under section 4758.20 of the Revised Code; 1188

(4) Obtain a registered applicant certificate under this 1189
chapter and comply with the requirements of section 4758.53 of the 1190
Revised Code; 1191

(5) Pass the examination administered pursuant to section 1192
4758.22 of the Revised Code for the purpose of determining 1193
competence to practice as a prevention specialist II. 1194

(B) Hold, on the effective date of this section, a 1195
certificate or credentials that were accepted under section 1196
3793.07 of the Revised Code as authority to practice as a 1197
certified prevention specialist II. 1198

Sec. 4758.45. An individual seeking a prevention specialist I 1199
certificate shall meet either of the following requirements: 1200

(A) Meet all of the following requirements: 1201

(1) Have compensated or volunteer work, field placement, 1202
intern, or practicum experience in which not less than twenty per 1203
cent of the individual's time was devoted to planning or 1204
delivering alcohol and other drug prevention services; 1205

(2) Have one of the following: 1206

(a) At least six thousand hours of compensated or volunteer 1207
work, field placement, intern, or practicum experience in alcohol 1208
and other drug prevention services; 1209

(b) An associate's degree in a behavioral science and at 1210
least four thousand hours of compensated or volunteer work, field 1211

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placement, intern, or practicum experience in alcohol and other 1212
drug prevention services; 1213

(c) A bachelor's, master's, or doctoral degree in a 1214
behavioral science and at least two thousand hours of compensated 1215
or volunteer work, field placement, intern, or practicum 1216
experience in alcohol and other drug prevention services. 1217

(3) Have at least one hundred eighty hours of 1218
prevention-related education that meets the requirements specified 1219
in rules adopted under section 4758.20 of the Revised Code; 1220

(4) Obtain a registered applicant certificate under this 1221
chapter and comply with the requirements of section 4758.53 of the 1222
Revised Code; 1223

(5) Pass the examination administered pursuant to section 1224
4758.22 of the Revised Code for the purpose of determining 1225
competence to practice as a prevention specialist I. 1226

(B) Hold, on the effective date of this section, a 1227
certificate or credentials that were accepted under section 1228
3793.07 of the Revised Code as authority to practice as a 1229
certified prevention specialist I. 1230

Sec. 4758.50. An individual who holds a license or 1231
certificate issued under this chapter shall post the license or 1232
certificate in a prominent place at the individual's place of 1233
employment. 1234

Sec. 4758.51. (A) Except as provided in division (B) of this 1235
section and in accordance with rules adopted under section 4758.20 1236
of the Revised Code, each individual who holds a license or 1237
certificate issued under this chapter shall complete during the 1238
period that the license or certificate is in effect not less than 1239
forty clock hours of continuing education as a condition of 1240

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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
the requirements specified in rules adopted under section 4758.20

<u>of the Revised Code.</u>	1272
<u>(B) If an individual holding a registered applicant</u>	1273
<u>certificate fails to meet any of the requirements of division (A)</u>	1274
<u>of this section, the board shall revoke the individual's</u>	1275
<u>registered applicant certificate. The individual may not apply to</u>	1276
<u>the board for a new registered applicant certificate earlier than</u>	1277
<u>a period of time the board shall determine in accordance with</u>	1278
<u>rules adopted under section 4758.20 of the Revised Code.</u>	1279
<u>Sec. 4758.55. An individual holding a valid independent</u>	1280
<u>chemical dependency counselor license may do all of the following:</u>	1281
<u>(A) Diagnose and treat chemical dependency conditions;</u>	1282
<u>(B) Perform treatment planning, assessment, crisis</u>	1283
<u>intervention, individual and group counseling, case management,</u>	1284
<u>and education services as they relate to abuse of and dependency</u>	1285
<u>on alcohol and other drugs;</u>	1286
<u>(C) Refer individuals with nonchemical dependency conditions</u>	1287
<u>to appropriate sources of help.</u>	1288
<u>Sec. 4758.56. (A) An individual holding a valid chemical</u>	1289
<u>dependency counselor III license may do all of the following:</u>	1290
<u>(1) Diagnose chemical dependency conditions under the</u>	1291
<u>supervision of any of the following:</u>	1292
<u>(a) An independent chemical dependency counselor licensed</u>	1293
<u>under this chapter;</u>	1294
<u>(b) An individual authorized under Chapter 4731. of the</u>	1295
<u>Revised Code to practice medicine and surgery or osteopathic</u>	1296
<u>medicine and surgery;</u>	1297
<u>(c) A psychologist licensed under Chapter 4732. of the</u>	1298
<u>Revised Code;</u>	1299

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(d) A registered nurse licensed under Chapter 4723. of the 1300
Revised Code or professional clinical counselor or independent 1301
social worker licensed under Chapter 4757. of the Revised Code if 1302
such supervision is consistent with the scope of practice of the 1303
registered nurse, professional clinical counselor, or independent 1304
social worker. 1305

(2) Treat chemical dependency conditions; 1306

(3) Perform treatment planning, assessment, crisis 1307
intervention, individual and group counseling, case management, 1308
and education services as they relate to abuse of and dependency 1309
on alcohol and other drugs; 1310

(4) Refer individuals with nonchemical dependency conditions 1311
to appropriate sources of help. 1312

(B) A chemical dependency counselor III may not practice as 1313
an individual practitioner. 1314

Sec. 4758.57. (A) An individual holding a valid chemical 1315
dependency counselor II license may do both of the following: 1316

(1) Perform assessment, crisis intervention, individual and 1317
group counseling, case management, and education services as they 1318
relate to abuse of and dependency on alcohol and other drugs; 1319

(2) Refer individuals with nonchemical dependency conditions 1320
to appropriate sources of help. 1321

(B) A chemical dependency counselor II may not practice as an 1322
individual practitioner. 1323

Sec. 4758.58. (A) Until six years after the effective date of 1324
this section, an individual holding a valid chemical dependency 1325
counselor I certificate may do both of the following: 1326

(1) Perform assessment, crisis intervention, individual and 1327

<u>group counseling, case management, and education services as they</u>	1328
<u>relate to abuse of and dependency on alcohol and other drugs;</u>	1329
<u>(2) Refer individuals with nonchemical dependency conditions</u>	1330
<u>to appropriate sources of help.</u>	1331
<u>(B) A chemical dependency counselor I may not practice as an</u>	1332
<u>individual practitioner.</u>	1333
 <u>Sec. 4758.59. (A) Subject to division (B) of this section, an</u>	1334
<u>individual holding a valid chemical dependency counselor assistant</u>	1335
<u>certificate may do both of the following:</u>	1336
 <u>(1) Perform assessment, crisis intervention, individual and</u>	1337
<u>group counseling, case management, and education services as they</u>	1338
<u>relate to abuse of or dependency on alcohol and other drugs;</u>	1339
 <u>(2) Refer individuals with nonchemical dependency conditions</u>	1340
<u>to appropriate sources of help.</u>	1341
 <u>(B) An individual holding a valid chemical dependency</u>	1342
<u>counselor assistant certificate may perform the tasks specified in</u>	1343
<u>division (A) of this section only while under the supervision of</u>	1344
<u>any of the following:</u>	1345
 <u>(1) An independent chemical dependency counselor or chemical</u>	1346
<u>dependency counselor III licensed under this chapter;</u>	1347
 <u>(2) An individual authorized under Chapter 4731. of the</u>	1348
<u>Revised Code to practice medicine and surgery or osteopathic</u>	1349
<u>medicine and surgery;</u>	1350
 <u>(3) A psychologist licensed under Chapter 4732. of the</u>	1351
<u>Revised Code;</u>	1352
 <u>(4) A registered nurse licensed under Chapter 4723. of the</u>	1353
<u>Revised Code or professional clinical counselor or independent</u>	1354
<u>social worker licensed under Chapter 4757. of the Revised Code if</u>	1355
<u>such supervision is consistent with the scope of practice of the</u>	1356

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registered nurse, professional clinical counselor, or independent 1357
social worker. 1358

(C) A chemical dependency counselor assistant may not 1359
practice as an individual practitioner. 1360

Sec. 4758.60. An individual who holds a valid prevention 1361
specialist II certificate or prevention specialist I certificate 1362
issued under this chapter may engage in the practice of alcohol 1363
and other drug prevention services. 1364

Sec. 4758.61. An individual who holds a valid registered 1365
applicant certificate issued under this chapter may engage in the 1366
practice of alcohol and other drug prevention services under the 1367
supervision of an individual holding a valid prevention specialist 1368
II certificate or prevention specialist I certificate issued under 1369
this chapter. 1370

Sec. 4758.70. Except to the extent of providing services 1371
authorized by this chapter, this chapter does not authorize any 1372
individual to engage in the practice of psychology as defined in 1373
section 4732.01 of the Revised Code. 1374

Except to the extent of providing services authorized by this 1375
chapter, this chapter does not authorize any individual to engage 1376
in the practice of professional counseling or social work, as 1377
those terms are defined in section 4757.01 of the Revised Code. 1378

Sec. 4758.71. Nothing in this chapter or the rules adopted 1379
under it authorizes an individual who holds a license or 1380
certificate issued under this chapter to admit a patient to a 1381
hospital or requires a hospital to allow any such individual to 1382
admit a patient. 1383

Sec. 4758.99. Whoever violates division (A) or (B) of section 1384

4758.02 of the Revised Code is guilty of a misdemeanor of the 1385
fourth degree on a first offense; on each subsequent offense, the 1386
person is guilty of a misdemeanor of the third degree. 1387

Section 2. That existing sections 125.22, 3793.07, 4743.05, 1388
4745.01, and 4757.41 of the Revised Code are hereby repealed. 1389

Section 3. That Sections 6, 7, and 8 of Am. Sub. S.B. 172 of 1390
the 123rd General Assembly are hereby repealed. 1391

Section 4. Within ninety days after the effective date of 1392
this section, the Governor shall appoint the initial members of 1393
the Chemical Dependency Professionals Board in accordance with 1394
section 4758.10 of the Revised Code. Such an appointee is not 1395
required, at the time of appointment, to hold an independent 1396
chemical dependency counselor license, chemical dependency 1397
counselor III license, prevention specialist II certificate, or 1398
prevention specialist I certificate. However, the appointee shall 1399
possess at the time of appointment any education, work experience, 1400
and training standards as specified in Chapter 4758. of the 1401
Revised Code that are necessary to obtain such a license or 1402
certificate. The appointee may remain a board member only if the 1403
appointee obtains an independent chemical dependency counselor 1404
license, chemical dependency counselor III license, prevention 1405
specialist II certificate, or prevention specialist I certificate, 1406
as appropriate for the member's appointment, not later than one 1407
year after the effective date of this section. 1408

Section 5. Sections 1 to 4 of this act shall take effect June 1409
30, 2002. 1410

Section 6. The Department of Alcohol and Drug Addiction 1411
Services shall work with the Chemical Dependency Professionals 1412

Board to enable the orderly transition from the Department's 1413
issuance of certificates and credentials under section 3793.07 of 1414
the Revised Code to the Board's issuance of certificates and 1415
licenses under Chapter 4758. of the Revised Code. The transition 1416
shall be completed at the earlier of the following: 1417

(A) The date, which shall be specified in an agreement 1418
between the Department and Board, on which the Board is to assume 1419
the department's duties; 1420

(B) June 30, 2004. 1421

Section 7. All items in this section are hereby appropriated 1422
as designated out of any moneys in the state treasury to the 1423
credit of the Occupational Licensing and Regulatory Fund. For all 1424
appropriations made in this act, those in the first column are for 1425
fiscal year 2002 and those in the second column are for fiscal 1426
year 2003. The appropriations made in this act are in addition to 1427
any other appropriations made for the 2001-2003 biennium. 1428

CDP CHEMICAL DEPENDENCY PROFESSIONALS BOARD 1429

General Services Fund Group 1430

4K9	930-609	Chemical Dependency	\$	0	\$	100,518	1431
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Professionals

Operating Expenses

TOTAL	GSF	General Services Fund	\$	0	\$	100,518	1432
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Group

TOTAL ALL BUDGET FUND GROUPS	\$	0	\$	100,518	1433
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Within the limits set forth in this act, the Director of 1434
Budget and Management shall establish accounts indicating source 1435
and amount of funds for each appropriation made in this act, and 1436
shall determine the form and manner in which appropriation 1437
accounts shall be maintained. Expenditures from appropriations 1438
contained in this act shall be accounted for as though made in Am. 1439
Sub. H.B. 94 of the 124th General Assembly. 1440

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The appropriations made in this act are subject to all 1441
provisions of Am. Sub. H.B. 94 of the 124th General Assembly that 1442
are generally applicable to such appropriations. 1443

Section 8. The codified and uncodified sections of law 1444
contained in this act, and the items of law of which they are 1445
composed, are not subject to the referendum. Therefore, under Ohio 1446
Constitution, Article II, Section 1d and section 1.471 of the 1447
Revised Code, the codified and uncodified sections of law 1448
contained in this act and the items of law of which they are 1449
composed go into immediate effect when this act becomes law. 1450