

**As Reported by the Senate Finance and Financial Institutions
Committee**

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**REPRESENTATIVES Peterson, Clancy, Britton, Carmichael, Evans, Fedor,
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D. Miller, Barrett, Hartnett, Coates, Seitz, Schneider**

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
<u>(21) Chemical dependency professionals board.</u>	51
(B)(1) Notwithstanding any other section of the Revised Code, the agency shall perform the following routine support services for the boards and commissions named in division (A) of this section unless the controlling board exempts a board or commission from this requirement on the recommendation of the director of administrative services:	52 53 54 55 56 57
(a) Preparing and processing payroll and other personnel documents;	58 59
(b) Preparing and processing vouchers, purchase orders, encumbrances, and other accounting documents;	60 61
(c) Maintaining ledgers of accounts and balances;	62
(d) Preparing and monitoring budgets and allotment plans in consultation with the boards and commissions;	63 64
(e) Other routine support services that the director of administrative services considers appropriate to achieve efficiency.	65 66 67
(2) The agency may perform other services which a board or commission named in division (A) of this section delegates to the agency and the agency accepts.	68 69 70
(3) The agency may perform any service for any professional or occupational licensing board not named in division (A) of this	71 72

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

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

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(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.

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(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.

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(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.

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

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(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;

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

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

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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 incurred by the department in implementing and administering the process;	135 136 137
(6) Administration or approval of examinations;	138
(7) Investigation of complaints and alleged violations of this section;	139 140
(8) Maintenance of the confidentiality of the department's investigative records;	141 142
(9) Disciplinary actions, including application denial and suspension or revocation of certification or credentials;	143 144
(10) Any other rules the department considers necessary to establish or administer the certification or credentialing process.	145 146 147
<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>	148 149 150 151 152 153 154
<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>	155 156 157 158 159
<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	160 161 162 163

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

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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.

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;

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

(6) 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 if the student does not hold herself or himself out as a person licensed or registered under this chapter;

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

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

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

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 349
chemical dependency conditions. 350

(2) "Alcohol and other drug clinical counseling principles, 351
methods, or procedures" includes counseling, assessing, 352
consulting, and referral as they relate to chemical dependency 353
conditions. 354

(C) "Alcohol and other drug prevention services" means a 355
planned process of strategies and activities designed to preclude 356
the onset of the use of alcohol and other drugs, reduce 357
problematic use of alcohol and other drugs, or both. 358

(D) "Chemical dependency conditions" means those conditions 359
relating to the abuse of or dependency on alcohol or other drugs 360
that are classified in accepted nosologies, including the 361
diagnostic and statistical manual of mental disorders and the 362
international classification of diseases, and in editions of those 363
nosologies published after the effective date of this section. 364

(E) "Chemical dependency counseling" means rendering or 365
offering to render to individuals, groups, or the public a 366
counseling service involving the application of alcohol and other 367
drug clinical counseling principles, methods, or procedures to 368
assist individuals who are abusing or dependent on alcohol or 369
other drugs. 370

(F) "Scope of practice" means the services, methods, and 371
techniques in which and the areas for which a person who holds a 372
license or certificate under this chapter is trained and 373
qualified. 374

Sec. 4758.02. (A) Effective two years after the date the 375
department of alcohol and drug addiction services ceases to 376
administer its certification and credentialing process under 377
section 3793.07 of the Revised Code as specified in division (B) 378

of that section and except as provided in sections 4758.03 and 379
4758.04 of the Revised Code, no person shall do any of the 380
following: 381

(1) Engage in or represent to the public that the person 382
engages in chemical dependency counseling for a fee, salary, or 383
other consideration unless the person holds a valid independent 384
chemical dependency counselor license, chemical dependency 385
counselor III license, chemical dependency counselor II license, 386
chemical dependency counselor I certificate, or chemical 387
dependency counselor assistant certificate issued under this 388
chapter; 389

(2) Use the title "licensed independent chemical dependency 390
counselor," "LICDC," "licensed chemical dependency counselor III," 391
"LCDC III," "licensed chemical dependency counselor II," "LCDC 392
II," "certified chemical dependency counselor I," "CCDC I," 393
"chemical dependency counselor assistant," "CDCA," or any other 394
title or description incorporating the word "chemical dependency 395
counselor" or any other initials used to identify persons acting 396
in those capacities unless currently authorized under this chapter 397
to act in the capacity indicated by the title or initials; 398

(3) Represent to the public that the person is a registered 399
applicant unless the person holds a valid registered applicant 400
certificate issued under this chapter; 401

(4) Use the title "certified prevention specialist II," "CPS 402
II," "certified prevention specialist I," "CPS I," "registered 403
applicant," or any other title, description, or initials used to 404
identify persons acting in those capacities unless currently 405
authorized under this chapter to act in the capacity indicated by 406
the title or initials. 407

(B) Effective six years after the effective date of this 408
section, no person shall engage in or represent to the public that 409

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

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

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(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;

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(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;

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(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.

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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

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holds, on the effective date of this section, a valid certificate 440
or credentials that are accepted under section 3793.07 of the 441
Revised Code as authority to practice as a chemical dependency 442
counselor or alcohol and other drug prevention specialist may 443
apply to the chemical dependency professionals board for the board 444
to delay the expiration date of the individual's certificate or 445
credentials. If the board determines that there is good cause for 446
delaying the expiration date, the board may delay the expiration 447
date until a date the board specifies. The date the board 448
specifies shall not be later than the date that is three years 449
after the effective date of the board's initial rules adopted 450
under section 4758.20 of the Revised Code. 451

An individual who has the expiration date of the individual's 452
certificate or credentials delayed under this section may perform 453
services within the scope, standards, and ethics of the 454
certificate or credentials until the date of the delayed 455
expiration date. 456

Sec. 4758.06. No individual who holds or has held a license 457
or certificate issued under this chapter shall disclose any 458
information regarding the identity, diagnosis, or treatment of any 459
of the individual's clients or consumers except for the purposes 460
and under the circumstances expressly authorized by 42 U.S.C.A. 461
290dd-2, regulations promulgated pursuant to that federal law, 462
other federal law enacted after the effective date of this section 463
to replace 42 U.S.C.A. 290dd-2, or regulations promulgated under 464
the replacement federal law. The prohibition of this section 465
applies whether or not the information is recorded. 466

Sec. 4758.10. (A) There is hereby created the chemical 467
dependency professionals board. 468

(B) The governor shall appoint all of the following voting 469

members of the board with the advice and consent of the senate: 470
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(1) Four individuals who hold a valid independent chemical 472
dependency counselor license issued under this chapter, including 473
at least two of whom have received at least a master's degree in a 474
field related to chemical dependency counseling from an accredited 475
educational institution; 476

(2) Two individuals who hold a valid chemical dependency 477
counselor III license issued under this chapter; 478

(3) One individual who holds a valid chemical dependency 479
counselor II license issued under this chapter; 480

(4) Two individuals who hold a valid prevention specialist II 481
certificate or prevention specialist I certificate issued under 482
this chapter; 483

(5) One individual who is authorized under Chapter 4731. of 484
the Revised Code to practice medicine and surgery or osteopathic 485
medicine and surgery and has experience practicing in a field 486
related to chemical dependency counseling; 487

(6) Two individuals who represent the public and have not 488
practiced chemical dependency counseling or alcohol and other drug 489
prevention services and have not been involved in the delivery of 490
chemical dependency counseling services or alcohol and other drug 491
prevention services. At least one of these individuals shall be at 492
least sixty years of age. During their terms, the public members 493
shall not practice chemical dependency counseling or alcohol and 494
other drug prevention services or be involved in the delivery of 495
chemical dependency counseling services or alcohol and other drug 496
prevention services. 497

(C) Not later than ninety days after the effective date of 498
this section, the director of alcohol and drug addiction services 499
shall appoint an individual who represents the department of 500

alcohol and drug addiction services to serve as an ex officio 501
member of the chemical dependency professionals board. 502

(D) Not more than one-half of the voting members of the board 503
may be of the same gender or members of the same political party. 504
At least two voting members of the board shall be of African, 505
Native American, Hispanic, or Asian descent. 506

Sec. 4758.11. Of the initial appointees to the chemical 507
dependency professionals board appointed by the governor under 508
division (B) of section 4758.10 of the Revised Code, four shall be 509
appointed for terms ending one year after the effective date of 510
this section, four shall be appointed for terms ending two years 511
after the effective date of this section, and four shall be 512
appointed for terms ending three years after the effective date of 513
this section. After the initial appointments, terms of office 514
shall be three years, each term ending on the same day of the same 515
month of the year as the term it succeeds. 516

A voting member of the board shall hold office from the date 517
of appointment until the end of the term for which the member was 518
appointed. A voting member appointed to fill a vacancy occurring 519
prior to the expiration of the term for which the member's 520
predecessor was appointed shall hold office for the remainder of 521
that term. A voting member shall continue in office after the 522
expiration date of the member's term until the member's successor 523
takes office or until a period of sixty days has elapsed, 524
whichever occurs first. Voting members may be reappointed, except 525
that an individual who has held office for two consecutive full 526
terms shall not be reappointed sooner than one year after the 527
expiration of the second full term. 528

The ex officio member of the board appointed by the director 529
of alcohol and drug addiction services under division (C) of 530
section 4758.10 of the Revised Code shall serve at the pleasure of 531

the director. 532

Sec. 4758.12. The voting members of the chemical dependency 533
professionals board shall receive an amount fixed under division 534
(J) of section 124.15 of the Revised Code for each day employed in 535
the discharge of their official duties as board members and shall 536
be reimbursed for their necessary and actual expenses incurred in 537
the performance of their official duties. 538

Sec. 4758.13. The chemical dependency professionals board 539
shall meet to discuss matters relating to the administration and 540
operation of the board and the regulation of the practices of 541
chemical dependency counseling and alcohol and other drug 542
prevention services. The board shall hold at least one regular 543
meeting every three months. Additional meetings may be held at 544
such times as the board determines, on the call of the 545
chairperson, or on the written request to the executive director 546
of three or more voting board members. If three or more voting 547
members request a meeting, the executive director shall call a 548
meeting, which shall be held not later than seven days after the 549
request is received. 550

Seven voting members of the board constitute a quorum to 551
conduct business. Except as provided in section 4758.32 of the 552
Revised Code, no action shall be taken without the concurrence of 553
at least a quorum. 554

At its first meeting each year, the board shall elect a 555
chairperson from among its voting members. No member shall serve 556
more than two consecutive terms as chairperson. 557

The board shall keep any records and minutes necessary to 558
fulfill the duties established by this chapter and rules adopted 559
under it. 560

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. 561
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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. 566
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Sec. 4758.17. The chemical dependency professionals board shall adopt a seal to authenticate its records and proceedings. 574
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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. 576
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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. 584
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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 587
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<u>following:</u>	589
<u>(1) Fees for the purposes authorized by section 4758.21 of the Revised Code;</u>	590
<u>(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;</u>	592
<u>(3) For the purpose of section 4758.24 of the Revised Code, all of the following:</u>	595
<u>(a) Good moral character requirements for an individual who seeks or holds a license or certificate issued under this chapter;</u>	597
<u>(b) The documents that an individual seeking such a license or certificate must submit to the board;</u>	599
<u>(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.</u>	601
<u>(4) Procedures for renewal of a chemical dependency counselor I license under section 4758.27 of the Revised Code;</u>	606
<u>(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;</u>	608
<u>(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;</u>	612
<u>(7) Requirements governing reinstatement of a suspended or revoked license or certificate under division (B) of section</u>	617

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

<u>at a minimum, include qualifications for the individuals who</u>	647
<u>provide the training and instruction in all of the following</u>	648
<u>courses:</u>	649
<u>(a) Theories of addiction;</u>	650
<u>(b) Counseling procedures and strategies with addicted</u>	651
<u>populations;</u>	652
<u>(c) Group process and techniques working with addicted</u>	653
<u>populations;</u>	654
<u>(d) Assessment and diagnosis of addiction;</u>	655
<u>(e) Relationship counseling with addicted populations;</u>	656
<u>(f) Pharmacology;</u>	657
<u>(g) Prevention strategies;</u>	658
<u>(h) Treatment planning;</u>	659
<u>(i) Legal and ethical issues.</u>	660
<u>(12) For the purpose of division (B)(2)(b) of section 4758.40</u>	661
<u>and division (B)(2) of section 4758.41 of the Revised Code,</u>	662
<u>requirements for the forty clock hours of training on the version</u>	663
<u>of the diagnostic and statistical manual of mental disorders that</u>	664
<u>is current at the time of the training, including the number of</u>	665
<u>the clock hours that must be on substance-related disorders and</u>	666
<u>the number of the clock hours that must be on awareness of other</u>	667
<u>mental and emotional disorders;</u>	668
<u>(13) For the purpose of division (A)(1) of section 4758.41 of</u>	669
<u>the Revised Code, course requirements for a bachelor's degree in</u>	670
<u>behavioral sciences;</u>	671
<u>(14) For the purpose of division (A) of section 4758.43 of</u>	672
<u>the Revised Code, training requirements for chemical dependency</u>	673
<u>counseling that shall, at a minimum, include qualifications for</u>	674
<u>the individuals who provide the training and instruction in one or</u>	675

more of the courses listed in division (A)(11) of this section as 676
selected by the individual seeking the chemical dependency 677
counselor assistant certificate; 678

(15) For the purpose of division (A)(3) of section 4758.44, 679
division (A)(3) of section 4758.45, and division (A)(2) of section 680
4758.53 of the Revised Code, requirements for prevention-related 681
education; 682

(16) For the purpose of section 4758.51 of the Revised Code, 683
continuing education requirements for individuals who hold a 684
license or certificate issued under this chapter; 685

(17) For the purpose of section 4758.51 of the Revised Code, 686
the number of hours of continuing education that an individual 687
must complete to have an expired license or certificate restored 688
under section 4758.26 of the Revised Code; 689

(18) For the purpose of section 4758.53 of the Revised Code, 690
the requirements an individual holding a registered applicant 691
certificate must complete to take an examination administered 692
pursuant to section 4758.22 of the Revised Code to obtain a 693
prevention specialist II certificate or prevention specialist I 694
certificate and the documentation the individual must submit to 695
the board showing that the individual has completed the 696
requirements; 697

(19) The method of determining the amount of time an 698
individual must wait to apply to the board for a new registered 699
applicant certificate under division (B) of section 4758.53 of the 700
Revised Code; 701

(20) The duties of an independent chemical dependency 702
counselor licensed under this chapter who supervises a chemical 703
dependency counselor III under section 4758.56, independent 704
chemical dependency counselor or chemical dependency counselor III 705
licensed under this chapter who supervises a chemical dependency 706

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. 707
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(21) Anything else necessary to administer this chapter. 711

(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. 712
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(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. 717
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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: 722
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(1) Admitting an individual to an examination administered pursuant to section 4758.22 of the Revised Code; 727
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(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; 729
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(3) Renewing an independent chemical dependency counselor license, chemical dependency counselor III license, chemical 735
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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

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examinations prepared by state or national organizations that 768
represent the interests of those involved in chemical dependency 769
counseling or alcohol and other drug prevention services. The 770
board shall conduct examinations at least twice each year and 771
shall determine the level of competence necessary for a passing 772
score. 773

An individual may not sit for an examination administered 774
pursuant to this section unless the individual meets the 775
requirements to obtain the license or certificate the individual 776
seeks, other than the requirement to have passed the examination, 777
and pays the fee established under section 4758.21 of the Revised 778
Code. An individual who is denied admission to the examination may 779
appeal the denial in accordance with Chapter 119. of the Revised 780
Code. 781

Sec. 4758.23. (A) In rules adopted under section 4758.20 of 782
the Revised Code, the chemical dependency professionals board 783
shall establish codes of ethical practice and professional conduct 784
for the following: 785

(1) Individuals who hold a valid independent chemical 786
dependency counselor license, chemical dependency counselor III 787
license, chemical dependency counselor II license, chemical 788
dependency counselor I certificate, or chemical dependency 789
counselor assistant certificate issued under this chapter; 790

(2) Individuals who hold a valid prevention specialist II 791
certificate, prevention specialist I certificate, or registered 792
applicant certificate issued under this chapter. 793

(B) The codes for individuals identified under division 794
(A)(1) of this section shall define unprofessional conduct, which 795
shall include engaging in a dual relationship with a client, 796
former client, consumer, or former consumer; committing an act of 797
sexual abuse, misconduct, or exploitation of a client, former 798

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

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(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.

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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:

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

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

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

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(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;

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(5) Meets any additional requirements specified in rules

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adopted under section 4758.20 of the Revised Code to obtain the 829
license or certificate that the individual seeks. 830

(B) The board shall not issue an initial certificate to 831
practice as a chemical dependency counselor I. 832

Sec. 4758.25. (A) The chemical dependency professionals board 833
may enter into a reciprocal agreement with any state that 834
regulates individuals practicing in the same capacities as those 835
regulated under this chapter if the board finds that the state has 836
requirements substantially equivalent to the requirements of this 837
state to receive a license or certificate under this chapter. 838

The board may become a member of a national reciprocity 839
organization that requires its members to have requirements 840
substantially equivalent to the requirements of this state to 841
receive a license or certificate to practice in the same 842
capacities as those regulated under this chapter. If the board 843
becomes a member of such an organization, the board shall consider 844
itself to have a reciprocal agreement with the other states that 845
are also members of the organization. 846

(B) The board may, by endorsement, issue the appropriate 847
license or certificate to a resident of a state with which the 848
board does not have a reciprocal agreement if both of the 849
following apply: 850

(1) The board finds that the state has requirements 851
substantially equivalent to the requirements of this state for 852
receipt of a license or certificate under this chapter. 853

(2) The individual submits proof satisfactory to the board of 854
being currently authorized to practice by that state. 855

(C) A license or certificate obtained by reciprocity or 856
endorsement under this section may be renewed or restored under 857
section 4758.26 of the Revised Code if the individual holding the 858

license or certificate satisfies the renewal or restoration 859
requirements established by that section. An individual holding a 860
license or certificate obtained by reciprocity or endorsement 861
under this section may obtain, under section 4758.24 of the 862
Revised Code, a different license or certificate available under 863
this chapter if the individual meets all of the requirements as 864
specified in that section for the license or certificate the 865
individual seeks. 866

Sec. 4758.26. (A) Except as provided in section 4758.27 of 867
the Revised Code, a license or certificate issued under this 868
chapter, other than a registered applicant certificate, expires 869
two years after it is issued and may be renewed in accordance with 870
the standard renewal procedure established under Chapter 4745. of 871
the Revised Code. 872

(B) Subject to section 4758.30 of the Revised Code and except 873
as provided in section 4758.27 of the Revised Code, the chemical 874
dependency professionals board shall renew a license or 875
certificate issued under this chapter, other than a registered 876
applicant certificate, if the individual seeking the renewal pays 877
the renewal fee established under section 4758.21 of the Revised 878
Code and satisfies the continuing education requirements 879
established under section 4758.51 of the Revised Code. 880

(C) Except as provided in section 4758.27 of the Revised 881
Code, a license or certificate issued under this chapter, other 882
than a registered applicant certificate, that has expired may be 883
restored if the individual seeking the restoration, not later than 884
two years after the license or certificate expires, applies for 885
restoration of the license or certificate. The board shall issue a 886
restored license or certificate to the individual if the 887
individual pays the renewal fee established under section 4758.21 888
of the Revised Code and satisfies the continuing education 889

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requirements established under section 4758.51 of the Revised Code 890
for restoring the license or certificate. The board shall not 891
require an individual to take an examination as a condition of 892
having an expired license or certificate restored under this 893
section. 894

Sec. 4758.27. Until the date that is six years after the 895
effective date of this section, the chemical dependency 896
professionals board shall renew a certificate that on the 897
effective date of this section is accepted under section 3793.07 898
of the Revised Code as authority to practice as a chemical 899
dependency counselor I if the individual holding the certificate 900
renews the certificate in accordance with rules adopted under 901
section 4758.20 of the Revised Code and pays the renewal fee 902
established under section 4758.21 of the Revised Code. Subsequent 903
renewals shall be done under section 4758.26 of the Revised Code. 904

After the date that is six years after the effective date of 905
this section, the board shall not renew under this section, or 906
renew or restore under section 4758.26 of the Revised Code, a 907
certificate to practice as a certified chemical dependency 908
counselor I. 909

Sec. 4758.28. The chemical dependency professionals board 910
shall approve, in accordance with rules adopted under section 911
4758.20 of the Revised Code and subject to payment of the fee 912
established under section 4758.21 of the Revised Code, continuing 913
education courses of study for individuals who hold a license or 914
certificate issued under this chapter. 915

Sec. 4758.29. On receipt of a notice pursuant to section 916
3123.43 of the Revised Code, the chemical dependency professionals 917
board shall comply with sections 3123.41 to 3123.50 of the Revised 918
Code and any applicable rules adopted under section 3123.63 of the 919

Revised Code with respect to a license or certificate issued 920
pursuant to this chapter. 921

Sec. 4758.30. (A) The chemical dependency professionals 922
board, in accordance with Chapter 119. of the Revised Code, may 923
refuse to issue a license or certificate applied for under this 924
chapter; refuse to renew a license or certificate issued under 925
this chapter; suspend, revoke, or otherwise restrict a license or 926
certificate issued under this chapter; or reprimand an individual 927
holding a license or certificate issued under this chapter. These 928
actions may be taken by the board regarding the applicant for a 929
license or certificate or the individual holding a license or 930
certificate for one or more of the following reasons: 931

(1) Violation of any provision of this chapter or rules 932
adopted under it; 933

(2) Knowingly making a false statement on an application for 934
a license or certificate or for renewal, restoration, or 935
reinstatement of a license or certificate; 936

(3) Acceptance of a commission or rebate for referring an 937
individual to a person who holds a license or certificate issued 938
by, or who is registered with, an entity of state government, 939
including persons practicing chemical dependency counseling, 940
alcohol and other drug prevention services, or fields related to 941
chemical dependency counseling or alcohol and other drug 942
prevention services; 943

(4) Conviction in this or any other state of any crime that 944
is a felony in this state; 945

(5) Conviction in this or any other state of a misdemeanor 946
committed in the course of practice as an independent chemical 947
dependency counselor, chemical dependency counselor III, chemical 948
dependency counselor II, chemical dependency counselor I, chemical 949

<u>dependency counselor assistant, prevention specialist II,</u>	950
<u>prevention specialist I, or registered applicant;</u>	951
<u>(6) Inability to practice as an independent chemical</u>	952
<u>dependency counselor, chemical dependency counselor III, chemical</u>	953
<u>dependency counselor II, chemical dependency counselor I, chemical</u>	954
<u>dependency counselor assistant, prevention specialist II,</u>	955
<u>prevention specialist I, or registered applicant due to abuse of</u>	956
<u>or dependency on alcohol or other drugs or other physical or</u>	957
<u>mental condition;</u>	958
<u>(7) Practicing outside the individual's scope of practice;</u>	959
<u>(8) Practicing without complying with the supervision</u>	960
<u>requirements specified under section 4758.56, 4758.59, or 4758.61</u>	961
<u>of the Revised Code;</u>	962
<u>(9) Violation of the code of ethical practice and</u>	963
<u>professional conduct for chemical dependency counseling or alcohol</u>	964
<u>and other drug prevention services adopted by the board pursuant</u>	965
<u>to section 4758.23 of the Revised Code;</u>	966
<u>(10) Revocation of a license or certificate or voluntary</u>	967
<u>surrender of a license or certificate in another state or</u>	968
<u>jurisdiction for an offense that would be a violation of this</u>	969
<u>chapter.</u>	970
<u>(B) An individual whose license or certificate has been</u>	971
<u>suspended or revoked under this section may apply to the board for</u>	972
<u>reinstatement after an amount of time the board shall determine in</u>	973
<u>accordance with rules adopted under section 4758.20 of the Revised</u>	974
<u>Code. The board may accept or refuse an application for</u>	975
<u>reinstatement. The board may require an examination for</u>	976
<u>reinstatement of a license or certificate that has been suspended</u>	977
<u>or revoked.</u>	978
<u>Sec. 4758.31. The chemical dependency professionals board</u>	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.

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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.

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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.

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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.

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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.

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

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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

<u>master's degree in behavioral sciences that meets the course</u>	1039
<u>requirements specified in rules adopted under section 4758.20 of</u>	1040
<u>the Revised Code;</u>	1041
<u>(2) Have not less than four thousand hours of compensated</u>	1042
<u>work experience in either of the following, not less than eight</u>	1043
<u>hundred hours of which are in chemical dependency counseling:</u>	1044
<u>(a) Chemical dependency services, substance abuse services,</u>	1045
<u>or both types of services;</u>	1046
<u>(b) The practice of psychology, as defined in section 4732.01</u>	1047
<u>of the Revised Code, or the practice of professional counseling or</u>	1048
<u>the practice of social work, both as defined in section 4757.01 of</u>	1049
<u>the Revised Code.</u>	1050
<u>(3) Have a minimum of two hundred seventy hours of training</u>	1051
<u>in chemical dependency that meets the requirements specified in</u>	1052
<u>rules adopted under section 4758.20 of the Revised Code;</u>	1053
<u>(4) Pass one or more examinations administered pursuant to</u>	1054
<u>section 4758.22 of the Revised Code for the purpose of determining</u>	1055
<u>competence to practice as an independent chemical dependency</u>	1056
<u>counselor.</u>	1057
<u>(B) Meet both of the following requirements:</u>	1058
<u>(1) Hold, on the effective date of this section, a</u>	1059
<u>certificate or credentials that were accepted under section</u>	1060
<u>3793.07 of the Revised Code as authority to practice as a</u>	1061
<u>certified chemical dependency counselor III or certified chemical</u>	1062
<u>dependency counselor III-E;</u>	1063
<u>(2) Meet one of the following requirements:</u>	1064
<u>(a) Hold the degree described in division (A)(1) of this</u>	1065
<u>section;</u>	1066
<u>(b) Have held a chemical dependency counselor III, II, or I</u>	1067
<u>certificate for at least eight consecutive years and have not less</u>	1068

than forty clock hours of training on the version of the 1069
diagnostic and statistical manual of mental disorders that is 1070
current at the time of the training. The training must meet the 1071
requirements specified in rules adopted under section 4758.20 of 1072
the Revised Code and have been provided by an individual 1073
authorized under Chapter 4731. of the Revised Code to practice 1074
medicine and surgery or osteopathic medicine and surgery, a 1075
psychologist licensed under Chapter 4732. of the Revised Code, or 1076
a professional clinical counselor or independent social worker 1077
licensed under Chapter 4757. of the Revised Code. 1078

Sec. 4758.41. An individual seeking a chemical dependency 1079
counselor III license shall meet any of the following 1080
requirements: 1081

(A) Meet all of the following requirements: 1082

(1) Hold from an accredited educational institution a 1083
bachelor's degree in a behavioral science that meets the course 1084
requirements specified in rules adopted under section 4758.20 of 1085
the Revised Code; 1086

(2) Have not less than four thousand hours of compensated 1087
work experience in either of the following, not less than eight 1088
hundred work hours of which are in chemical dependency counseling: 1089

(a) Chemical dependency services, substance abuse services, 1090
or both types of services; 1091

(b) The practice of psychology, as defined in section 4732.01 1092
of the Revised Code, or the practice of professional counseling or 1093
the practice of social work, both as defined in section 4757.01 of 1094
the Revised Code. 1095

(3) Have a minimum of two hundred seventy hours of training 1096
in chemical dependency that meets the requirements specified in 1097
rules adopted under section 4758.20 of the Revised Code; 1098

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<u>(4) Pass one or more examinations administered pursuant to</u>	1099
<u>section 4758.22 of the Revised Code for the purpose of determining</u>	1100
<u>competence to practice as a chemical dependency counselor III.</u>	1101
<u>(B) Meet both of the following requirements:</u>	1102
<u>(1) Hold, on the effective date of this section, a</u>	1103
<u>certificate or credentials that were accepted under section</u>	1104
<u>3793.07 of the Revised Code as authority to practice as a</u>	1105
<u>certified chemical dependency counselor III or certified chemical</u>	1106
<u>dependency counselor III-E;</u>	1107
<u>(2) Have not less than forty clock hours of training on the</u>	1108
<u>version of the diagnostic and statistical manual of mental</u>	1109
<u>disorders that is current at the time of the training. The</u>	1110
<u>training must meet the requirements specified in rules adopted</u>	1111
<u>under section 4758.20 of the Revised Code and have been provided</u>	1112
<u>by an individual authorized under Chapter 4731. of the Revised</u>	1113
<u>Code to practice medicine and surgery or osteopathic medicine and</u>	1114
<u>surgery, a psychologist licensed under Chapter 4732. of the</u>	1115
<u>Revised Code, or a professional clinical counselor or independent</u>	1116
<u>social worker licensed under Chapter 4757. of the Revised Code.</u>	1117
<u>(C) Meet all of the following requirements:</u>	1118
<u>(1) Hold, on the effective date of this section, a</u>	1119
<u>certificate or credentials that were accepted under section</u>	1120
<u>3793.07 of the Revised Code as authority to practice as a</u>	1121
<u>certified chemical dependency counselor II;</u>	1122
<u>(2) Meet the requirement of division (B)(2) of this section;</u>	1123
<u>(3) Hold a bachelor's degree in a behavioral science.</u>	1124
<u>Sec. 4758.42. An individual seeking a chemical dependency</u>	1125
<u>counselor II license shall meet either of the following</u>	1126
<u>requirements:</u>	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

<u>six thousand hours of compensated work experience in alcohol and</u>	1186
<u>other drug prevention services;</u>	1187
<u>(b) A master's or doctoral degree in a behavioral science and</u>	1188
<u>at least four thousand hours of compensated work experience in</u>	1189
<u>alcohol and other drug prevention services.</u>	1190
<u>(3) Have at least two hundred seventy hours of</u>	1191
<u>prevention-related education that meets the requirements specified</u>	1192
<u>in rules adopted under section 4758.20 of the Revised Code;</u>	1193
<u>(4) Obtain a registered applicant certificate under this</u>	1194
<u>chapter and comply with the requirements of section 4758.53 of the</u>	1195
<u>Revised Code;</u>	1196
<u>(5) Pass the examination administered pursuant to section</u>	1197
<u>4758.22 of the Revised Code for the purpose of determining</u>	1198
<u>competence to practice as a prevention specialist II.</u>	1199
<u>(B) Hold, on the effective date of this section, a</u>	1200
<u>certificate or credentials that were accepted under section</u>	1201
<u>3793.07 of the Revised Code as authority to practice as a</u>	1202
<u>certified prevention specialist II.</u>	1203
<u>Sec. 4758.45. An individual seeking a prevention specialist I</u>	1204
<u>certificate shall meet either of the following requirements:</u>	1205
<u>(A) Meet all of the following requirements:</u>	1206
<u>(1) Have compensated or volunteer work, field placement,</u>	1207
<u>intern, or practicum experience in which not less than twenty per</u>	1208
<u>cent of the individual's time was devoted to planning or</u>	1209
<u>delivering alcohol and other drug prevention services;</u>	1210
<u>(2) Have one of the following:</u>	1211
<u>(a) At least six thousand hours of compensated or volunteer</u>	1212
<u>work, field placement, intern, or practicum experience in alcohol</u>	1213
<u>and other drug prevention services;</u>	1214

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

(c) A bachelor's, master's, or doctoral degree in a behavioral science and at least two thousand hours of compensated or volunteer work, field placement, intern, or practicum experience in alcohol and other drug prevention services. 1219
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(3) Have at least one hundred eighty hours of prevention-related education that meets the requirements specified in rules adopted under section 4758.20 of the Revised Code; 1223
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(4) Obtain a registered applicant certificate under this chapter and comply with the requirements of section 4758.53 of the Revised Code; 1226
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(5) Pass the examination administered pursuant to section 4758.22 of the Revised Code for the purpose of determining competence to practice as a prevention specialist I. 1229
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(B) Hold, on the effective date of this section, a certificate or credentials that were accepted under section 3793.07 of the Revised Code as authority to practice as a certified prevention specialist I. 1232
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Sec. 4758.50. An individual who holds a license or certificate issued under this chapter shall post the license or certificate in a prominent place at the individual's place of employment. 1236
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Sec. 4758.51. (A) Except as provided in division (B) of this section and in accordance with rules adopted under section 4758.20 of the Revised Code, each individual who holds a license or certificate issued under this chapter shall complete during the 1240
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1243

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period that the license or certificate is in effect not less than 1244
forty clock hours of continuing education as a condition of 1245
receiving a renewed license or certificate. To have an expired 1246
license or certificate restored, an individual shall complete the 1247
number of hours of continuing education specified in rules adopted 1248
under section 4758.20 of the Revised Code. 1249

(B) The chemical dependency professionals board may waive the 1250
continuing education requirements established under this section 1251
for individuals who are unable to fulfill them because of military 1252
service, illness, residence outside the United States, or any 1253
other reason the board considers acceptable. 1254

Sec. 4758.53. (A) Not later than four years after the 1255
effective date of a registered applicant certificate issued under 1256
this chapter, the individual issued the certificate shall submit 1257
to the chemical dependency professionals board documentation 1258
specified in rules adopted under section 4758.20 of the Revised 1259
Code showing that the individual has completed the requirements 1260
specified in those rules to take an examination administered 1261
pursuant to section 4758.22 of the Revised Code to obtain a 1262
prevention specialist II certificate or prevention specialist I 1263
certificate. If the individual submits the required documentation 1264
within the required time, the board shall notify the individual 1265
that the individual meets the requirements to take the 1266
examination. Not later than one year after the board so notifies 1267
the individual, the individual shall take the examination. If the 1268
individual fails the examination, the individual shall do both of 1269
the following: 1270

(1) Retake the examination at least two times per year until 1271
the individual passes the examination; 1272

(2) Not later than two years after the date of the first 1273
examination, renew the registered applicant certificate and 1274

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

<u>(c) A psychologist licensed under Chapter 4732. of the</u>	1303
<u>Revised Code;</u>	1304
<u>(d) A registered nurse licensed under Chapter 4723. of the</u>	1305
<u>Revised Code or professional clinical counselor or independent</u>	1306
<u>social worker licensed under Chapter 4757. of the Revised Code if</u>	1307
<u>such supervision is consistent with the scope of practice of the</u>	1308
<u>registered nurse, professional clinical counselor, or independent</u>	1309
<u>social worker.</u>	1310
<u>(2) Treat chemical dependency conditions;</u>	1311
<u>(3) Perform treatment planning, assessment, crisis</u>	1312
<u>intervention, individual and group counseling, case management,</u>	1313
<u>and education services as they relate to abuse of and dependency</u>	1314
<u>on alcohol and other drugs;</u>	1315
<u>(4) Refer individuals with nonchemical dependency conditions</u>	1316
<u>to appropriate sources of help.</u>	1317
<u>(B) A chemical dependency counselor III may not practice as</u>	1318
<u>an individual practitioner.</u>	1319
<u>Sec. 4758.57. (A) An individual holding a valid chemical</u>	1320
<u>dependency counselor II license may do both of the following:</u>	1321
<u>(1) Perform assessment, crisis intervention, individual and</u>	1322
<u>group counseling, case management, and education services as they</u>	1323
<u>relate to abuse of and dependency on alcohol and other drugs;</u>	1324
<u>(2) Refer individuals with nonchemical dependency conditions</u>	1325
<u>to appropriate sources of help.</u>	1326
<u>(B) A chemical dependency counselor II may not practice as an</u>	1327
<u>individual practitioner.</u>	1328
<u>Sec. 4758.58. (A) Until six years after the effective date of</u>	1329
<u>this section, an individual holding a valid chemical dependency</u>	1330

<u>counselor I certificate may do both of the following:</u>	1331
<u>(1) Perform assessment, crisis intervention, individual and group counseling, case management, and education services as they relate to abuse of and dependency on alcohol and other drugs;</u>	1332
	1333
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<u>(2) Refer individuals with nonchemical dependency conditions to appropriate sources of help.</u>	1335
	1336
<u>(B) A chemical dependency counselor I may not practice as an individual practitioner.</u>	1337
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Sec. 4758.59. <u>(A) Subject to division (B) of this section, an individual holding a valid chemical dependency counselor assistant certificate may do both of the following:</u>	1339
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<u>(1) Perform assessment, crisis intervention, individual and group counseling, case management, and education services as they relate to abuse of or dependency on alcohol and other drugs;</u>	1342
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	1344
<u>(2) Refer individuals with nonchemical dependency conditions to appropriate sources of help.</u>	1345
	1346
<u>(B) An individual holding a valid chemical dependency counselor assistant certificate may perform the tasks specified in division (A) of this section only while under the supervision of any of the following:</u>	1347
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	1349
	1350
<u>(1) An independent chemical dependency counselor or chemical dependency counselor III licensed under this chapter;</u>	1351
	1352
<u>(2) An individual authorized under Chapter 4731. of the Revised Code to practice medicine and surgery or osteopathic medicine and surgery;</u>	1353
	1354
	1355
<u>(3) A psychologist licensed under Chapter 4732. of the Revised Code;</u>	1356
	1357
<u>(4) A registered nurse licensed under Chapter 4723. of the Revised Code or professional clinical counselor or independent</u>	1358
	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. 1388

Sec. 4758.99. Whoever violates division (A) or (B) of section 1389
4758.02 of the Revised Code is guilty of a misdemeanor of the 1390
fourth degree on a first offense; on each subsequent offense, the 1391
person is guilty of a misdemeanor of the third degree. 1392

Section 2. That existing sections 125.22, 3793.07, 4743.05, 1393
4745.01, and 4757.41 of the Revised Code are hereby repealed. 1394

Section 3. That Sections 6 and 7 of Am. Sub. S.B. 172 of the 1395
123rd General Assembly are hereby repealed. That Section 8 of Am. 1396
Sub. S.B. 172 of the 123rd General Assembly, as amended by Am. 1397
Sub. S.B. 261 of the 124th General Assembly, is hereby repealed. 1398

This repeal prevents the repeal and reenactment of section 1399
3793.07 of the Revised Code that was to have been effective July 1400
1, 2003, and thereby removes all limitation upon the continued 1401
existence of section 3793.07 of the Revised Code as presented in 1402
Section 1 of this act. 1403

Section 4. Within ninety days after the effective date of 1404
this section, the Governor shall appoint the initial members of 1405
the Chemical Dependency Professionals Board in accordance with 1406
section 4758.10 of the Revised Code. Such an appointee is not 1407
required, at the time of appointment, to hold an independent 1408
chemical dependency counselor license, chemical dependency 1409
counselor III license, prevention specialist II certificate, or 1410
prevention specialist I certificate. However, the appointee shall 1411
possess at the time of appointment any education, work experience, 1412
and training standards as specified in Chapter 4758. of the 1413
Revised Code that are necessary to obtain such a license or 1414
certificate. The appointee may remain a board member only if the 1415
appointee obtains an independent chemical dependency counselor 1416

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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
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Professionals

Operating Expenses

TOTAL GSF	General Services Fund	\$	0	\$	100,518	1443
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Group

TOTAL ALL BUDGET FUND GROUPS		\$	0	\$	100,518	1444
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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