

As Introduced

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Representatives Peterson, Letson

**Cosponsors: Representatives Evans, Bacon, Boyd, Yuko, Stebelton,
Hagan, R., Williams, B., Beatty, Raussen, Huffman, Fende, Mecklenborg,
Heard, Celeste, Brown, Strahorn**

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A B I L L

To amend sections 4732.10 and 5122.01 of the Revised 1
Code regarding the experience and training 2
requirements necessary for admission to 3
examination for a psychologist license. 4

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

Section 1. That sections 4723.10 and 5122.01 of the Revised 5
Code be amended to read as follows: 6

Sec. 4732.10. (A) The state board of psychology shall appoint 7
an entrance examiner who shall determine the sufficiency of an 8
applicant's qualifications for admission to the appropriate 9
examination. 10

(B) Requirements for admission to examination for a 11
psychologist license shall be that the applicant: 12

(1) Is at least twenty-one years of age; 13

(2) Is of good moral character; 14

(3) Is a citizen of the United States or has legally declared 15
~~his~~ the intention of becoming such; 16

(4) Has received from <u>Meets the requirements of division</u>	17
<u>(B)(4)(a), (b), (c), or (d) of this section:</u>	18
<u>(a) Received an earned doctoral degree from an institution</u>	19
<u>accredited or recognized by a national or regional accrediting</u>	20
<u>agency and a program accredited by any of the following:</u>	21
<u>(i) The American psychological association, office of program</u>	22
<u>consultation and accreditation;</u>	23
<u>(ii) The accreditation office of the Canadian psychological</u>	24
<u>association;</u>	25
<u>(iii) A program listed by the association of state and</u>	26
<u>provincial psychology boards/national register designation</u>	27
<u>committee.</u>	28
<u>(b) Received from an academic institution outside of the</u>	29
<u>United States or Canada a degree determined, under rules adopted</u>	30
<u>by the board under division (E) of this section, to be equivalent</u>	31
<u>to a doctoral degree in psychology from a program described in</u>	32
<u>division (B)(4)(a) of this section;</u>	33
<u>(c) Held a psychologist license, certificate, or registration</u>	34
<u>required for practice in another United States or Canadian</u>	35
<u>jurisdiction for a minimum of ten years and meets educational,</u>	36
<u>experience, and professional requirements established under rules</u>	37
<u>adopted by the board.</u>	38
<u>(d) Enrolled, not later than sixty days after the effective</u>	39
<u>date of this amendment, in an educational institution accredited</u>	40
<u>or recognized by national or regional accrediting agencies as</u>	41
<u>maintaining satisfactory standards and not later than eight years</u>	42
<u>after the effective date of this amendment received an earned</u>	43
<u>doctoral degree in psychology, school psychology, or a doctoral</u>	44
<u>degree deemed equivalent by the board.</u>	45
(5) Has had at least two years of supervised professional	46

experience in psychological work of a type satisfactory to the 47
board, ~~at least one year of which must be postdoctoral.~~ 48

The board ~~shall maintain a record of each specific degree 49
program which it recognizes as acceptable for fulfilling the 50
requirement of division (B)(4) of this section and shall adopt 51
guidelines for the kind of supervised professional experience 52
which fulfill the requirement of division (B)(5) of this section.~~ 53

(C) Requirements for admission to examination for a school 54
psychologist license shall be that the applicant: 55

(1) Has received from an educational institution accredited 56
or recognized by national or regional accrediting agencies as 57
maintaining satisfactory standards, including those approved by 58
the state board of education for the training of school 59
psychologists, at least a master's degree in school psychology, or 60
a degree considered equivalent by the board; 61

(2) Is at least twenty-one years of age; 62

(3) Is of good moral character; 63

(4) Is a citizen of the United States or has legally declared 64
~~his~~ the intention of becoming such; 65

(5) Has completed at least sixty quarter hours, or the 66
semester hours equivalent, at the graduate level, of accredited 67
study in course work relevant to the study of school psychology; 68

(6) Has completed an internship in an educational institution 69
approved by the Ohio department of education for school psychology 70
supervised experience or one year of other training experience 71
acceptable to the board, such as supervised professional 72
experience under the direction of a licensed psychologist or 73
licensed school psychologist; 74

(7) Furnishes proof of at least twenty-seven months, 75
exclusive of internship, of full-time experience as a certificated 76

school psychologist employed by a board of education or a private 77
school meeting the standards prescribed by the state board of 78
education, or of experience which the board deems equivalent. 79

(D) If the entrance examiner finds that the applicant meets 80
the requirements set forth in this section, the applicant shall be 81
admitted to the appropriate examination. 82

(E) The board shall adopt under Chapter 119. of the Revised 83
Code rules for determining for the purposes of division (B)(4)(b) 84
of this section whether a degree is equivalent to a degree in 85
psychology from an institution in the United States. 86

Sec. 5122.01. As used in this chapter and Chapter 5119. of 87
the Revised Code: 88

(A) "Mental illness" means a substantial disorder of thought, 89
mood, perception, orientation, or memory that grossly impairs 90
judgment, behavior, capacity to recognize reality, or ability to 91
meet the ordinary demands of life. 92

(B) "Mentally ill person subject to hospitalization by court 93
order" means a mentally ill person who, because of the person's 94
illness: 95

(1) Represents a substantial risk of physical harm to self as 96
manifested by evidence of threats of, or attempts at, suicide or 97
serious self-inflicted bodily harm; 98

(2) Represents a substantial risk of physical harm to others 99
as manifested by evidence of recent homicidal or other violent 100
behavior, evidence of recent threats that place another in 101
reasonable fear of violent behavior and serious physical harm, or 102
other evidence of present dangerousness; 103

(3) Represents a substantial and immediate risk of serious 104
physical impairment or injury to self as manifested by evidence 105
that the person is unable to provide for and is not providing for 106

the person's basic physical needs because of the person's mental 107
illness and that appropriate provision for those needs cannot be 108
made immediately available in the community; or 109

(4) Would benefit from treatment in a hospital for the 110
person's mental illness and is in need of such treatment as 111
manifested by evidence of behavior that creates a grave and 112
imminent risk to substantial rights of others or the person. 113

(C)(1) "Patient" means, subject to division (C)(2) of this 114
section, a person who is admitted either voluntarily or 115
involuntarily to a hospital or other place under section 2945.39, 116
2945.40, 2945.401, or 2945.402 of the Revised Code subsequent to a 117
finding of not guilty by reason of insanity or incompetence to 118
stand trial or under this chapter, who is under observation or 119
receiving treatment in such place. 120

(2) "Patient" does not include a person admitted to a 121
hospital or other place under section 2945.39, 2945.40, 2945.401, 122
or 2945.402 of the Revised Code to the extent that the reference 123
in this chapter to patient, or the context in which the reference 124
occurs, is in conflict with any provision of sections 2945.37 to 125
2945.402 of the Revised Code. 126

(D) "Licensed physician" means a person licensed under the 127
laws of this state to practice medicine or a medical officer of 128
the government of the United States while in this state in the 129
performance of the person's official duties. 130

(E) "Psychiatrist" means a licensed physician who has 131
satisfactorily completed a residency training program in 132
psychiatry, as approved by the residency review committee of the 133
American medical association, the committee on post-graduate 134
education of the American osteopathic association, or the American 135
osteopathic board of neurology and psychiatry, or who on July 1, 136
1989, has been recognized as a psychiatrist by the Ohio state 137

medical association or the Ohio osteopathic association on the 138
basis of formal training and five or more years of medical 139
practice limited to psychiatry. 140

(F) "Hospital" means a hospital or inpatient unit licensed by 141
the department of mental health under section 5119.20 of the 142
Revised Code, and any institution, hospital, or other place 143
established, controlled, or supervised by the department under 144
Chapter 5119. of the Revised Code. 145

(G) "Public hospital" means a facility that is tax-supported 146
and under the jurisdiction of the department of mental health. 147

(H) "Community mental health agency" means any agency, 148
program, or facility with which a board of alcohol, drug 149
addiction, and mental health services contracts to provide the 150
mental health services listed in section 340.09 of the Revised 151
Code. 152

(I) "Licensed clinical psychologist" means a person who holds 153
a current valid psychologist license issued under section 4732.12 154
or 4732.15 of the Revised Code, and in addition, meets either of 155
the following criteria: 156

(1) Meets the educational requirements set forth in division 157
(B) of section 4732.10 of the Revised Code and has a minimum of 158
two years' full-time professional experience, or the equivalent as 159
determined by rule of the state board of psychology, ~~at least one~~ 160
~~year of which shall be post-doctoral,~~ in clinical psychological 161
work in a public or private hospital or clinic or in private 162
practice, diagnosing and treating problems of mental illness or 163
mental retardation under the supervision of a psychologist who is 164
licensed or who holds a diploma issued by the American board of 165
professional psychology, or whose qualifications are substantially 166
similar to those required for licensure by the state board of 167
psychology when the supervision has occurred prior to enactment of 168

laws governing the practice of psychology; 169

(2) Meets the educational requirements set forth in division 170
(B) of section 4732.15 of the Revised Code and has a minimum of 171
four years' full-time professional experience, or the equivalent 172
as determined by rule of the state board of psychology, in 173
clinical psychological work in a public or private hospital or 174
clinic or in private practice, diagnosing and treating problems of 175
mental illness or mental retardation under supervision, as set 176
forth in division (I)(1) of this section. 177

(J) "Health officer" means any public health physician; 178
public health nurse; or other person authorized by or designated 179
by a city health district; a general health district; or a board 180
of alcohol, drug addiction, and mental health services to perform 181
the duties of a health officer under this chapter. 182

(K) "Chief clinical officer" means the medical director of a 183
hospital, or a community mental health agency, or a board of 184
alcohol, drug addiction, and mental health services, or, if there 185
is no medical director, the licensed physician responsible for the 186
treatment a hospital or community mental health agency provides. 187
The chief clinical officer may delegate to the attending physician 188
responsible for a patient's care the duties imposed on the chief 189
clinical officer by this chapter. Within a community mental health 190
agency, the chief clinical officer shall be designated by the 191
governing body of the agency and shall be a licensed physician or 192
licensed clinical psychologist who supervises diagnostic and 193
treatment services. A licensed physician or licensed clinical 194
psychologist designated by the chief clinical officer may perform 195
the duties and accept the responsibilities of the chief clinical 196
officer in the chief clinical officer's absence. 197

(L) "Working day" or "court day" means Monday, Tuesday, 198
Wednesday, Thursday, and Friday, except when such day is a 199
holiday. 200

(M) "Indigent" means unable without deprivation of satisfaction of basic needs to provide for the payment of an attorney and other necessary expenses of legal representation, including expert testimony.	201 202 203 204
(N) "Respondent" means the person whose detention, commitment, hospitalization, continued hospitalization or commitment, or discharge is being sought in any proceeding under this chapter.	205 206 207 208
(O) "Legal rights service" means the service established under section 5123.60 of the Revised Code.	209 210
(P) "Independent expert evaluation" means an evaluation conducted by a licensed clinical psychologist, psychiatrist, or licensed physician who has been selected by the respondent or the respondent's counsel and who consents to conducting the evaluation.	211 212 213 214 215
(Q) "Court" means the probate division of the court of common pleas.	216 217
(R) "Expunge" means:	218
(1) The removal and destruction of court files and records, originals and copies, and the deletion of all index references;	219 220
(2) The reporting to the person of the nature and extent of any information about the person transmitted to any other person by the court;	221 222 223
(3) Otherwise insuring that any examination of court files and records in question shall show no record whatever with respect to the person;	224 225 226
(4) That all rights and privileges are restored, and that the person, the court, and any other person may properly reply that no such record exists, as to any matter expunged.	227 228 229
(S) "Residence" means a person's physical presence in a	230

county with intent to remain there, except that: 231

(1) If a person is receiving a mental health service at a 232
facility that includes nighttime sleeping accommodations, 233
residence means that county in which the person maintained the 234
person's primary place of residence at the time the person entered 235
the facility; 236

(2) If a person is committed pursuant to section 2945.38, 237
2945.39, 2945.40, 2945.401, or 2945.402 of the Revised Code, 238
residence means the county where the criminal charges were filed. 239

When the residence of a person is disputed, the matter of 240
residence shall be referred to the department of mental health for 241
investigation and determination. Residence shall not be a basis 242
for a board's denying services to any person present in the 243
board's service district, and the board shall provide services for 244
a person whose residence is in dispute while residence is being 245
determined and for a person in an emergency situation. 246

(T) "Admission" to a hospital or other place means that a 247
patient is accepted for and stays at least one night at the 248
hospital or other place. 249

(U) "Prosecutor" means the prosecuting attorney, village 250
solicitor, city director of law, or similar chief legal officer 251
who prosecuted a criminal case in which a person was found not 252
guilty by reason of insanity, who would have had the authority to 253
prosecute a criminal case against a person if the person had not 254
been found incompetent to stand trial, or who prosecuted a case in 255
which a person was found guilty. 256

(V) "Treatment plan" means a written statement of reasonable 257
objectives and goals for an individual established by the 258
treatment team, with specific criteria to evaluate progress 259
towards achieving those objectives. The active participation of 260
the patient in establishing the objectives and goals shall be 261

documented. The treatment plan shall be based on patient needs and 262
include services to be provided to the patient while the patient 263
is hospitalized and after the patient is discharged. The treatment 264
plan shall address services to be provided upon discharge, 265
including but not limited to housing, financial, and vocational 266
services. 267

(W) "Community control sanction" has the same meaning as in 268
section 2929.01 of the Revised Code. 269

(X) "Post-release control sanction" has the same meaning as 270
in section 2967.01 of the Revised Code. 271

Section 2. That existing section 4723.10 and 5122.01 of the 272
Revised Code are hereby repealed. 273