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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, Otterman, J., Budish, Combs, DeBose,
DeGeeter, Domenick, Dyer, Foley, Gerberry, Harwood, Heydinger, Hughes,
Luckie, Mallory, Oelslager, Patton, Schneider, Stewart, D., White, Yates
Senators Miller, D., Fedor, Morano, Sawyer, Turner**

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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 4732.10 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 his <u>the</u> intention of becoming such;	15 16
(4) Has received from <u>Meets the requirements of division</u> <u>(B)(4)(a), (b), (c), or (d) of this section:</u>	17 18
<u>(a) Received an earned doctoral degree from an institution</u> <u>accredited or recognized by a national or regional accrediting</u> <u>agency and a program accredited by any of the following:</u>	19 20 21
<u>(i) The American psychological association, office of program</u> <u>consultation and accreditation;</u>	22 23
<u>(ii) The accreditation office of the Canadian psychological</u> <u>association;</u>	24 25
<u>(iii) A program listed by the association of state and</u> <u>provincial psychology boards/national register designation</u> <u>committee;</u>	26 27 28
<u>(iv) The national association of school psychologists.</u>	29
<u>(b) Received from an academic institution outside of the</u> <u>United States or Canada a degree determined, under rules adopted</u> <u>by the board under division (E) of this section, to be equivalent</u> <u>to a doctoral degree in psychology from a program described in</u> <u>division (B)(4)(a) of this section;</u>	30 31 32 33 34
<u>(c) Held a psychologist license, certificate, or registration</u> <u>required for practice in another United States or Canadian</u> <u>jurisdiction for a minimum of ten years and meets educational,</u> <u>experience, and professional requirements established under rules</u> <u>adopted by the board.</u>	35 36 37 38 39
<u>(d) Enrolled, not later than sixty days after the effective</u> <u>date of this amendment, in an educational institution accredited</u> <u>or recognized by national or regional accrediting agencies as</u> <u>maintaining satisfactory standards and not later than eight years</u>	40 41 42 43

after the effective date of this amendment received an earned 44
doctoral degree in psychology, school psychology, or a doctoral 45
degree deemed equivalent by the board~~;~~. 46

(5) Has had at least two years of supervised professional 47
experience in psychological work of a type satisfactory to the 48
board, at least one year of which must be ~~postdoctoral~~ a 49
predoctoral internship. 50

The board ~~shall maintain a record of each specific degree~~ 51
~~program which it recognizes as acceptable for fulfilling the~~ 52
~~requirement of division (B)(4) of this section and shall adopt~~ 53
guidelines for the kind of supervised professional experience 54
which fulfill the requirement of division (B)(5) of this section. 55

(C) Requirements for admission to examination for a school 56
psychologist license shall be that the applicant: 57

(1) Has received from an educational institution accredited 58
or recognized by national or regional accrediting agencies as 59
maintaining satisfactory standards, including those approved by 60
the state board of education for the training of school 61
psychologists, at least a master's degree in school psychology, or 62
a degree considered equivalent by the board; 63

(2) Is at least twenty-one years of age; 64

(3) Is of good moral character; 65

(4) Is a citizen of the United States or has legally declared 66
~~his~~ the intention of becoming such; 67

(5) Has completed at least sixty quarter hours, or the 68
semester hours equivalent, at the graduate level, of accredited 69
study in course work relevant to the study of school psychology; 70

(6) Has completed an internship in an educational institution 71
approved by the Ohio department of education for school psychology 72
supervised experience or one year of other training experience 73

acceptable to the board, such as supervised professional 74
experience under the direction of a licensed psychologist or 75
licensed school psychologist; 76

(7) Furnishes proof of at least twenty-seven months, 77
exclusive of internship, of full-time experience as a certificated 78
school psychologist employed by a board of education or a private 79
school meeting the standards prescribed by the state board of 80
education, or of experience which the board deems equivalent. 81

(D) If the entrance examiner finds that the applicant meets 82
the requirements set forth in this section, the applicant shall be 83
admitted to the appropriate examination. 84

(E) The board shall adopt under Chapter 119. of the Revised 85
Code rules for determining for the purposes of division (B)(4)(b) 86
of this section whether a degree is equivalent to a degree in 87
psychology from an institution in the United States. 88

Sec. 5122.01. As used in this chapter and Chapter 5119. of 89
the Revised Code: 90

(A) "Mental illness" means a substantial disorder of thought, 91
mood, perception, orientation, or memory that grossly impairs 92
judgment, behavior, capacity to recognize reality, or ability to 93
meet the ordinary demands of life. 94

(B) "Mentally ill person subject to hospitalization by court 95
order" means a mentally ill person who, because of the person's 96
illness: 97

(1) Represents a substantial risk of physical harm to self as 98
manifested by evidence of threats of, or attempts at, suicide or 99
serious self-inflicted bodily harm; 100

(2) Represents a substantial risk of physical harm to others 101
as manifested by evidence of recent homicidal or other violent 102
behavior, evidence of recent threats that place another in 103

reasonable fear of violent behavior and serious physical harm, or 104
other evidence of present dangerousness; 105

(3) Represents a substantial and immediate risk of serious 106
physical impairment or injury to self as manifested by evidence 107
that the person is unable to provide for and is not providing for 108
the person's basic physical needs because of the person's mental 109
illness and that appropriate provision for those needs cannot be 110
made immediately available in the community; or 111

(4) Would benefit from treatment in a hospital for the 112
person's mental illness and is in need of such treatment as 113
manifested by evidence of behavior that creates a grave and 114
imminent risk to substantial rights of others or the person. 115

(C)(1) "Patient" means, subject to division (C)(2) of this 116
section, a person who is admitted either voluntarily or 117
involuntarily to a hospital or other place under section 2945.39, 118
2945.40, 2945.401, or 2945.402 of the Revised Code subsequent to a 119
finding of not guilty by reason of insanity or incompetence to 120
stand trial or under this chapter, who is under observation or 121
receiving treatment in such place. 122

(2) "Patient" does not include a person admitted to a 123
hospital or other place under section 2945.39, 2945.40, 2945.401, 124
or 2945.402 of the Revised Code to the extent that the reference 125
in this chapter to patient, or the context in which the reference 126
occurs, is in conflict with any provision of sections 2945.37 to 127
2945.402 of the Revised Code. 128

(D) "Licensed physician" means a person licensed under the 129
laws of this state to practice medicine or a medical officer of 130
the government of the United States while in this state in the 131
performance of the person's official duties. 132

(E) "Psychiatrist" means a licensed physician who has 133
satisfactorily completed a residency training program in 134

psychiatry, as approved by the residency review committee of the 135
American medical association, the committee on post-graduate 136
education of the American osteopathic association, or the American 137
osteopathic board of neurology and psychiatry, or who on July 1, 138
1989, has been recognized as a psychiatrist by the Ohio state 139
medical association or the Ohio osteopathic association on the 140
basis of formal training and five or more years of medical 141
practice limited to psychiatry. 142

(F) "Hospital" means a hospital or inpatient unit licensed by 143
the department of mental health under section 5119.20 of the 144
Revised Code, and any institution, hospital, or other place 145
established, controlled, or supervised by the department under 146
Chapter 5119. of the Revised Code. 147

(G) "Public hospital" means a facility that is tax-supported 148
and under the jurisdiction of the department of mental health. 149

(H) "Community mental health agency" means any agency, 150
program, or facility with which a board of alcohol, drug 151
addiction, and mental health services contracts to provide the 152
mental health services listed in section 340.09 of the Revised 153
Code. 154

(I) "Licensed clinical psychologist" means a person who holds 155
a current valid psychologist license issued under section 4732.12 156
or 4732.15 of the Revised Code, and in addition, meets either of 157
the following criteria: 158

(1) Meets the educational requirements set forth in division 159
(B) of section 4732.10 of the Revised Code and has a minimum of 160
two years' full-time professional experience, or the equivalent as 161
determined by rule of the state board of psychology, at least one 162
year of which shall be ~~post-doctoral~~ a predoctoral internship, in 163
clinical psychological work in a public or private hospital or 164
clinic or in private practice, diagnosing and treating problems of 165

mental illness or mental retardation under the supervision of a 166
psychologist who is licensed or who holds a diploma issued by the 167
American board of professional psychology, or whose qualifications 168
are substantially similar to those required for licensure by the 169
state board of psychology when the supervision has occurred prior 170
to enactment of laws governing the practice of psychology; 171

(2) Meets the educational requirements set forth in division 172
(B) of section 4732.15 of the Revised Code and has a minimum of 173
four years' full-time professional experience, or the equivalent 174
as determined by rule of the state board of psychology, in 175
clinical psychological work in a public or private hospital or 176
clinic or in private practice, diagnosing and treating problems of 177
mental illness or mental retardation under supervision, as set 178
forth in division (I)(1) of this section. 179

(J) "Health officer" means any public health physician; 180
public health nurse; or other person authorized by or designated 181
by a city health district; a general health district; or a board 182
of alcohol, drug addiction, and mental health services to perform 183
the duties of a health officer under this chapter. 184

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

the duties and accept the responsibilities of the chief clinical officer in the chief clinical officer's absence.	198 199
(L) "Working day" or "court day" means Monday, Tuesday, Wednesday, Thursday, and Friday, except when such day is a holiday.	200 201 202
(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.	203 204 205 206
(N) "Respondent" means the person whose detention, commitment, hospitalization, continued hospitalization or commitment, or discharge is being sought in any proceeding under this chapter.	207 208 209 210
(O) "Legal rights service" means the service established under section 5123.60 of the Revised Code.	211 212
(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.	213 214 215 216 217
(Q) "Court" means the probate division of the court of common pleas.	218 219
(R) "Expunge" means:	220
(1) The removal and destruction of court files and records, originals and copies, and the deletion of all index references;	221 222
(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;	223 224 225
(3) Otherwise insuring that any examination of court files and records in question shall show no record whatever with respect	226 227

to the person;	228
(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.	229 230 231
(S) "Residence" means a person's physical presence in a county with intent to remain there, except that:	232 233
(1) If a person is receiving a mental health service at a facility that includes nighttime sleeping accommodations, residence means that county in which the person maintained the person's primary place of residence at the time the person entered the facility;	234 235 236 237 238
(2) If a person is committed pursuant to section 2945.38, 2945.39, 2945.40, 2945.401, or 2945.402 of the Revised Code, residence means the county where the criminal charges were filed.	239 240 241
When the residence of a person is disputed, the matter of residence shall be referred to the department of mental health for investigation and determination. Residence shall not be a basis for a board's denying services to any person present in the board's service district, and the board shall provide services for a person whose residence is in dispute while residence is being determined and for a person in an emergency situation.	242 243 244 245 246 247 248
(T) "Admission" to a hospital or other place means that a patient is accepted for and stays at least one night at the hospital or other place.	249 250 251
(U) "Prosecutor" means the prosecuting attorney, village solicitor, city director of law, or similar chief legal officer who prosecuted a criminal case in which a person was found not guilty by reason of insanity, who would have had the authority to prosecute a criminal case against a person if the person had not been found incompetent to stand trial, or who prosecuted a case in which a person was found guilty.	252 253 254 255 256 257 258

(V) "Treatment plan" means a written statement of reasonable objectives and goals for an individual established by the treatment team, with specific criteria to evaluate progress towards achieving those objectives. The active participation of the patient in establishing the objectives and goals shall be documented. The treatment plan shall be based on patient needs and include services to be provided to the patient while the patient is hospitalized and after the patient is discharged. The treatment plan shall address services to be provided upon discharge, including but not limited to housing, financial, and vocational services.

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

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

Section 2. That existing section 4732.10 and 5122.01 of the Revised Code are hereby repealed.