

As Introduced

**130th General Assembly
Regular Session
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H. B. No. 653

Representatives Sprague, Antonio

Cosponsor: Representative Patterson

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A B I L L

To amend sections 2305.234, 4757.41, 4758.01, 1
4758.02, 4758.10, 4758.13, 4758.20, 4758.21, 2
4758.22, 4758.23, 4758.30, 4758.31, 4758.36, 3
4758.39, 4758.40, 4758.41, 4758.42, 4758.43, 4
4758.44, 4758.45, 4758.46, 4758.60, and 4758.61 of 5
the Revised Code regarding the practices of 6
chemical dependency counseling and prevention 7
services. 8

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

Section 1. That sections 2305.234, 4757.41, 4758.01, 4758.02, 9
4758.10, 4758.13, 4758.20, 4758.21, 4758.22, 4758.23, 4758.30, 10
4758.31, 4758.36, 4758.39, 4758.40, 4758.41, 4758.42, 4758.43, 11
4758.44, 4758.45, 4758.46, 4758.60, and 4758.61 of the Revised 12
Code be amended to read as follows: 13

Sec. 2305.234. (A) As used in this section: 14

(1) "Chiropractic claim," "medical claim," and "optometric 15
claim" have the same meanings as in section 2305.113 of the 16
Revised Code. 17

(2) "Dental claim" has the same meaning as in section 18
2305.113 of the Revised Code, except that it does not include any 19

claim arising out of a dental operation or any derivative claim 20
for relief that arises out of a dental operation. 21

(3) "Governmental health care program" has the same meaning 22
as in section 4731.65 of the Revised Code. 23

(4) "Health care facility or location" means a hospital, 24
clinic, ambulatory surgical facility, office of a health care 25
professional or associated group of health care professionals, 26
training institution for health care professionals, or any other 27
place where medical, dental, or other health-related diagnosis, 28
care, or treatment is provided to a person. 29

(5) "Health care professional" means any of the following who 30
provide medical, dental, or other health-related diagnosis, care, 31
or treatment: 32

(a) Physicians authorized under Chapter 4731. of the Revised 33
Code to practice medicine and surgery or osteopathic medicine and 34
surgery; 35

(b) Registered nurses and licensed practical nurses licensed 36
under Chapter 4723. of the Revised Code and individuals who hold a 37
certificate of authority issued under that chapter that authorizes 38
the practice of nursing as a certified registered nurse 39
anesthetist, clinical nurse specialist, certified nurse-midwife, 40
or certified nurse practitioner; 41

(c) Physician assistants authorized to practice under Chapter 42
4730. of the Revised Code; 43

(d) Dentists and dental hygienists licensed under Chapter 44
4715. of the Revised Code; 45

(e) Physical therapists, physical therapist assistants, 46
occupational therapists, occupational therapy assistants, and 47
athletic trainers licensed under Chapter 4755. of the Revised 48
Code; 49

(f) Chiropractors licensed under Chapter 4734. of the Revised Code;	50 51
(g) Optometrists licensed under Chapter 4725. of the Revised Code;	52 53
(h) Podiatrists authorized under Chapter 4731. of the Revised Code to practice podiatry;	54 55
(i) Dietitians licensed under Chapter 4759. of the Revised Code;	56 57
(j) Pharmacists licensed under Chapter 4729. of the Revised Code;	58 59
(k) Emergency medical technicians-basic, emergency medical technicians-intermediate, and emergency medical technicians-paramedic, certified under Chapter 4765. of the Revised Code;	60 61 62 63
(l) Respiratory care professionals licensed under Chapter 4761. of the Revised Code;	64 65
(m) Speech-language pathologists and audiologists licensed under Chapter 4753. of the Revised Code;	66 67
(n) Licensed professional clinical counselors, licensed professional counselors, independent social workers, social workers, independent marriage and family therapists, and marriage and family therapists, licensed under Chapter 4757. of the Revised Code;	68 69 70 71 72
(o) Psychologists licensed under Chapter 4732. of the Revised Code;	73 74
(p) Individuals <u>Independent chemical dependency counselors-clinical supervisors, independent chemical dependency counselors, chemical dependency counselors III, and chemical dependency counselors II,</u> licensed or certified under Chapter 4758. of the Revised Code who are acting within the scope of their	75 76 77 78 79

~~license or certificate as members of the profession of chemical
dependency counseling or alcohol and other drug prevention
services, and chemical dependency counselor assistants, prevention
consultants, prevention specialists, prevention specialist
assistants, and registered applicants, certified under that
chapter.~~ 80
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(6) "Health care worker" means a person other than a health
care professional who provides medical, dental, or other
health-related care or treatment under the direction of a health
care professional with the authority to direct that individual's
activities, including medical technicians, medical assistants,
dental assistants, orderlies, aides, and individuals acting in
similar capacities. 86
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(7) "Indigent and uninsured person" means a person who meets
all of the following requirements: 93
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(a) The person's income is not greater than two hundred per
cent of the current poverty line as defined by the United States
office of management and budget and revised in accordance with
section 673(2) of the "Omnibus Budget Reconciliation Act of 1981,"
95 Stat. 511, 42 U.S.C. 9902, as amended. 95
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(b) The person is not eligible for the medicaid program or
any other governmental health care program. 100
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(c) Either of the following applies: 102

(i) The person is not a policyholder, certificate holder,
insured, contract holder, subscriber, enrollee, member,
beneficiary, or other covered individual under a health insurance
or health care policy, contract, or plan. 103
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(ii) The person is a policyholder, certificate holder,
insured, contract holder, subscriber, enrollee, member,
beneficiary, or other covered individual under a health insurance
or health care policy, contract, or plan, but the insurer, policy, 107
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contract, or plan denies coverage or is the subject of insolvency 111
or bankruptcy proceedings in any jurisdiction. 112

(8) "Nonprofit health care referral organization" means an 113
entity that is not operated for profit and refers patients to, or 114
arranges for the provision of, health-related diagnosis, care, or 115
treatment by a health care professional or health care worker. 116

(9) "Operation" means any procedure that involves cutting or 117
otherwise infiltrating human tissue by mechanical means, including 118
surgery, laser surgery, ionizing radiation, therapeutic 119
ultrasound, or the removal of intraocular foreign bodies. 120
"Operation" does not include the administration of medication by 121
injection, unless the injection is administered in conjunction 122
with a procedure infiltrating human tissue by mechanical means 123
other than the administration of medicine by injection. 124
"Operation" does not include routine dental restorative 125
procedures, the scaling of teeth, or extractions of teeth that are 126
not impacted. 127

(10) "Tort action" means a civil action for damages for 128
injury, death, or loss to person or property other than a civil 129
action for damages for a breach of contract or another agreement 130
between persons or government entities. 131

(11) "Volunteer" means an individual who provides any 132
medical, dental, or other health-care related diagnosis, care, or 133
treatment without the expectation of receiving and without receipt 134
of any compensation or other form of remuneration from an indigent 135
and uninsured person, another person on behalf of an indigent and 136
uninsured person, any health care facility or location, any 137
nonprofit health care referral organization, or any other person 138
or government entity. 139

(12) "Community control sanction" has the same meaning as in 140
section 2929.01 of the Revised Code. 141

(13) "Deep sedation" means a drug-induced depression of consciousness during which a patient cannot be easily aroused but responds purposefully following repeated or painful stimulation, a patient's ability to independently maintain ventilatory function may be impaired, a patient may require assistance in maintaining a patent airway and spontaneous ventilation may be inadequate, and cardiovascular function is usually maintained.

(14) "General anesthesia" means a drug-induced loss of consciousness during which a patient is not arousable, even by painful stimulation, the ability to independently maintain ventilatory function is often impaired, a patient often requires assistance in maintaining a patent airway, positive pressure ventilation may be required because of depressed spontaneous ventilation or drug-induced depression of neuromuscular function, and cardiovascular function may be impaired.

(B)(1) Subject to divisions (F) and (G)(3) of this section, a health care professional who is a volunteer and complies with division (B)(2) of this section is not liable in damages to any person or government entity in a tort or other civil action, including an action on a medical, dental, chiropractic, optometric, or other health-related claim, for injury, death, or loss to person or property that allegedly arises from an action or omission of the volunteer in the provision to an indigent and uninsured person of medical, dental, or other health-related diagnosis, care, or treatment, including the provision of samples of medicine and other medical products, unless the action or omission constitutes willful or wanton misconduct.

(2) To qualify for the immunity described in division (B)(1) of this section, a health care professional shall do all of the following prior to providing diagnosis, care, or treatment:

(a) Determine, in good faith, that the indigent and uninsured person is mentally capable of giving informed consent to the

provision of the diagnosis, care, or treatment and is not subject 174
to duress or under undue influence; 175

(b) Inform the person of the provisions of this section, 176
including notifying the person that, by giving informed consent to 177
the provision of the diagnosis, care, or treatment, the person 178
cannot hold the health care professional liable for damages in a 179
tort or other civil action, including an action on a medical, 180
dental, chiropractic, optometric, or other health-related claim, 181
unless the action or omission of the health care professional 182
constitutes willful or wanton misconduct; 183

(c) Obtain the informed consent of the person and a written 184
waiver, signed by the person or by another individual on behalf of 185
and in the presence of the person, that states that the person is 186
mentally competent to give informed consent and, without being 187
subject to duress or under undue influence, gives informed consent 188
to the provision of the diagnosis, care, or treatment subject to 189
the provisions of this section. A written waiver under division 190
(B)(2)(c) of this section shall state clearly and in conspicuous 191
type that the person or other individual who signs the waiver is 192
signing it with full knowledge that, by giving informed consent to 193
the provision of the diagnosis, care, or treatment, the person 194
cannot bring a tort or other civil action, including an action on 195
a medical, dental, chiropractic, optometric, or other 196
health-related claim, against the health care professional unless 197
the action or omission of the health care professional constitutes 198
willful or wanton misconduct. 199

(3) A physician or podiatrist who is not covered by medical 200
malpractice insurance, but complies with division (B)(2) of this 201
section, is not required to comply with division (A) of section 202
4731.143 of the Revised Code. 203

(C) Subject to divisions (F) and (G)(3) of this section, 204
health care workers who are volunteers are not liable in damages 205

to any person or government entity in a tort or other civil 206
action, including an action upon a medical, dental, chiropractic, 207
optometric, or other health-related claim, for injury, death, or 208
loss to person or property that allegedly arises from an action or 209
omission of the health care worker in the provision to an indigent 210
and uninsured person of medical, dental, or other health-related 211
diagnosis, care, or treatment, unless the action or omission 212
constitutes willful or wanton misconduct. 213

(D) Subject to divisions (F) and (G)(3) of this section, a 214
nonprofit health care referral organization is not liable in 215
damages to any person or government entity in a tort or other 216
civil action, including an action on a medical, dental, 217
chiropractic, optometric, or other health-related claim, for 218
injury, death, or loss to person or property that allegedly arises 219
from an action or omission of the nonprofit health care referral 220
organization in referring indigent and uninsured persons to, or 221
arranging for the provision of, medical, dental, or other 222
health-related diagnosis, care, or treatment by a health care 223
professional described in division (B)(1) of this section or a 224
health care worker described in division (C) of this section, 225
unless the action or omission constitutes willful or wanton 226
misconduct. 227

(E) Subject to divisions (F) and (G)(3) of this section and 228
to the extent that the registration requirements of section 229
3701.071 of the Revised Code apply, a health care facility or 230
location associated with a health care professional described in 231
division (B)(1) of this section, a health care worker described in 232
division (C) of this section, or a nonprofit health care referral 233
organization described in division (D) of this section is not 234
liable in damages to any person or government entity in a tort or 235
other civil action, including an action on a medical, dental, 236
chiropractic, optometric, or other health-related claim, for 237

injury, death, or loss to person or property that allegedly arises 238
from an action or omission of the health care professional or 239
worker or nonprofit health care referral organization relative to 240
the medical, dental, or other health-related diagnosis, care, or 241
treatment provided to an indigent and uninsured person on behalf 242
of or at the health care facility or location, unless the action 243
or omission constitutes willful or wanton misconduct. 244

(F)(1) Except as provided in division (F)(2) of this section, 245
the immunities provided by divisions (B), (C), (D), and (E) of 246
this section are not available to a health care professional, 247
health care worker, nonprofit health care referral organization, 248
or health care facility or location if, at the time of an alleged 249
injury, death, or loss to person or property, the health care 250
professionals or health care workers involved are providing one of 251
the following: 252

(a) Any medical, dental, or other health-related diagnosis, 253
care, or treatment pursuant to a community service work order 254
entered by a court under division (B) of section 2951.02 of the 255
Revised Code or imposed by a court as a community control 256
sanction; 257

(b) Performance of an operation to which any one of the 258
following applies: 259

(i) The operation requires the administration of deep 260
sedation or general anesthesia. 261

(ii) The operation is a procedure that is not typically 262
performed in an office. 263

(iii) The individual involved is a health care professional, 264
and the operation is beyond the scope of practice or the 265
education, training, and competence, as applicable, of the health 266
care professional. 267

(c) Delivery of a baby or any other purposeful termination of 268

a human pregnancy. 269

(2) Division (F)(1) of this section does not apply when a 270
health care professional or health care worker provides medical, 271
dental, or other health-related diagnosis, care, or treatment that 272
is necessary to preserve the life of a person in a medical 273
emergency. 274

(G)(1) This section does not create a new cause of action or 275
substantive legal right against a health care professional, health 276
care worker, nonprofit health care referral organization, or 277
health care facility or location. 278

(2) This section does not affect any immunities from civil 279
liability or defenses established by another section of the 280
Revised Code or available at common law to which a health care 281
professional, health care worker, nonprofit health care referral 282
organization, or health care facility or location may be entitled 283
in connection with the provision of emergency or other medical, 284
dental, or other health-related diagnosis, care, or treatment. 285

(3) This section does not grant an immunity from tort or 286
other civil liability to a health care professional, health care 287
worker, nonprofit health care referral organization, or health 288
care facility or location for actions that are outside the scope 289
of authority of health care professionals or health care workers. 290

(4) This section does not affect any legal responsibility of 291
a health care professional, health care worker, or nonprofit 292
health care referral organization to comply with any applicable 293
law of this state or rule of an agency of this state. 294

(5) This section does not affect any legal responsibility of 295
a health care facility or location to comply with any applicable 296
law of this state, rule of an agency of this state, or local code, 297
ordinance, or regulation that pertains to or regulates building, 298
housing, air pollution, water pollution, sanitation, health, fire, 299

zoning, or safety. 300

Sec. 4757.41. (A) This chapter shall not apply to the 301
following: 302

(1) A person certified by the state board of education under 303
Chapter 3319. of the Revised Code while performing any services 304
within the person's scope of employment by a board of education or 305
by a private school meeting the standards prescribed by the state 306
board of education under division (D) of section 3301.07 of the 307
Revised Code or in a program operated under Chapter 5126. of the 308
Revised Code for training individuals with mental retardation or 309
other developmental disabilities; 310

(2) Psychologists or school psychologists licensed under 311
Chapter 4732. of the Revised Code; 312

(3) Members of other professions licensed, certified, or 313
registered by this state while performing services within the 314
recognized scope, standards, and ethics of their respective 315
professions; 316

(4) Rabbis, priests, Christian science practitioners, clergy, 317
or members of religious orders and other individuals participating 318
with them in pastoral counseling when the counseling activities 319
are within the scope of the performance of their regular or 320
specialized ministerial duties and are performed under the 321
auspices or sponsorship of an established and legally cognizable 322
church, denomination, or sect or an integrated auxiliary of a 323
church as defined in federal tax regulations, paragraph (g)(5) of 324
26 C.F.R. 1.6033-2 (1995), and when the individual rendering the 325
service remains accountable to the established authority of that 326
church, denomination, sect, or integrated auxiliary; 327

(5) Any person who is not licensed under this chapter as a 328
licensed professional clinical counselor, licensed professional 329

counselor, independent social worker, or social worker and is 330
employed in the civil service as defined in section 124.01 of the 331
Revised Code while engaging in professional counseling or social 332
work as a civil service employee, if on ~~the effective date of this~~ 333
~~amendment~~ July 10, 2014, the person has at least two years of 334
service in that capacity; 335

(6) A student in an accredited educational institution while 336
carrying out activities that are part of the student's prescribed 337
course of study if the activities are supervised as required by 338
the educational institution and if the student does not hold 339
herself or himself out as a person licensed or registered under 340
this chapter; 341

(7) ~~Individuals~~ An individual who ~~held~~ holds a license or 342
certificate under Chapter 4758. of the Revised Code who ~~are~~ is 343
acting within the scope of ~~their~~ the individual's license or 344
certificate as ~~members~~ a member of the profession of chemical 345
dependency counseling or ~~alcohol and other drug~~ prevention 346
services; 347

(8) Any person employed by the American red cross while 348
engaging in activities relating to services for military families 349
and veterans and disaster relief, as described in the "American 350
National Red Cross Act," 33 Stat. 599 (1905), 36 U.S.C.A. 1, as 351
amended; 352

(9) Members of labor organizations who hold union counselor 353
certificates while performing services in their official capacity 354
as union counselors; 355

(10) Any person employed in a hospital as defined in section 356
3727.01 of the Revised Code or in a nursing home as defined in 357
section 3721.01 of the Revised Code while providing as a hospital 358
employee or nursing home employee, respectively, social services 359
other than counseling and the use of psychosocial interventions 360

and social psychotherapy; 361

(11) A vocational rehabilitation professional who is 362
providing rehabilitation services to individuals under section 363
3304.17 of the Revised Code, or holds certification by the 364
commission on rehabilitation counselor certification and is 365
providing rehabilitation counseling services consistent with the 366
commission's standards; 367

(12) A caseworker not licensed under this chapter as an 368
independent social worker or social worker who is employed by a 369
public children services agency under section 5153.112 of the 370
Revised Code. 371

(B) Divisions (A)(5) and (10) of this section do not prevent 372
a person described in those divisions from obtaining a license or 373
certificate of registration under this chapter. 374

(C) Except as provided in divisions (A) and (D) of this 375
section, no employee in the service of the state, including public 376
employees as defined by Chapter 4117. of the Revised Code, shall 377
engage in the practice of professional counseling, social work, or 378
marriage and family therapy without the appropriate license issued 379
by the board. Failure to comply with this division constitutes 380
nonfeasance under section 124.34 of the Revised Code or just cause 381
under a collective bargaining agreement. Nothing in this division 382
restricts the director of administrative services from developing 383
new classifications related to this division or from reassigning 384
affected employees to appropriate classifications based on the 385
employee's duties and qualifications. 386

(D) Except as provided in division (A) of this section, an 387
employee who was engaged in the practice of professional 388
counseling, social work, or marriage and family therapy in the 389
service of the state prior to ~~the effective date of this amendment~~ 390
July 10, 2014, including public employees as defined by Chapter 391

4117. of the Revised Code, shall comply with division (C) of this 392
section within two years after ~~the effective date of this~~ 393
~~amendment~~ July 10, 2014. Any such employee who fails to comply 394
shall be removed from employment. 395

(E) Nothing in this chapter prevents a public children 396
services agency from employing as a caseworker a person not 397
licensed under this chapter as an independent social worker or 398
social worker who has the qualifications specified in section 399
5153.112 of the Revised Code. 400

Sec. 4758.01. As used in this chapter: 401

(A) "Accredited educational institution" means an educational 402
institution accredited by an accrediting agency accepted by the 403
Ohio board of regents. 404

(B)(1) "Alcohol and other drug clinical counseling 405
principles, methods, or procedures" means an approach to chemical 406
dependency counseling that emphasizes the chemical dependency 407
counselor's role in systematically assisting clients through all 408
of the following: 409

(a) Analyzing background and current information; 410

(b) Exploring possible solutions; 411

(c) Developing and providing a treatment plan; 412

(d) In the case of an independent chemical dependency 413
counselor-clinical supervisor, independent chemical dependency 414
counselor, or chemical dependency counselor III only, diagnosing 415
chemical dependency conditions. 416

(2) "Alcohol and other drug clinical counseling principles, 417
methods, or procedures" includes counseling, assessing, 418
consulting, and referral as they relate to chemical dependency 419
conditions. 420

(C) ~~"Alcohol and other drug prevention services" means a~~ 421
~~planned process of strategies and activities designed to preclude~~ 422
~~the onset of the use of alcohol and other drugs, reduce~~ 423
~~problematic use of alcohol and other drugs, or both.~~ 424

~~(D)~~ "Chemical dependency conditions" means those conditions 425
relating to the abuse of or dependency on alcohol or other drugs 426
that are classified in accepted nosologies, including the 427
diagnostic and statistical manual of mental disorders and the 428
international classification of diseases, and in editions of those 429
nosologies published after December 23, 2002. 430

~~(E)~~(D) "Chemical dependency counseling" means rendering or 431
offering to render to individuals, groups, or the public a 432
counseling service involving the application of alcohol and other 433
drug clinical counseling principles, methods, or procedures to 434
assist individuals who are abusing or dependent on alcohol or 435
other drugs. 436

~~(F)~~(E) "Gambling disorder" means a persistent and recurring 437
maladaptive gambling behavior that is classified in accepted 438
nosologies, including the diagnostic and statistical manual of 439
mental disorders and the international classification of diseases, 440
and in editions of those nosologies published after ~~the effective~~ 441
~~date of this section~~ September 15, 2014. 442

(F) "Prevention services" means a comprehensive, multi-system 443
set of individual and environmental approaches that maximizes 444
physical health, promotes safety, and precludes the onset of 445
behavioral health disorders. 446

(G) Unless the context provides otherwise, "scope of 447
practice" means the services, methods, and techniques in which and 448
the areas for which a person who holds a license, certificate, or 449
endorsement under this chapter is trained and qualified. 450

(H) "Substance abuse professional" has the same meaning as in 451

49 C.F.R. 40.3. 452

(I) "U.S. department of transportation drug and alcohol 453
testing program" means a transportation workplace drug and alcohol 454
testing program governed by 49 C.F.R. part 40. 455

Sec. 4758.02. (A) Except as provided in section 4758.03 of 456
the Revised Code, no person shall do any of the following: 457

(1) Engage in or represent to the public that the person 458
engages in chemical dependency counseling for a fee, salary, or 459
other consideration unless the person holds a valid independent 460
chemical dependency counselor-clinical supervisor license, 461
independent chemical dependency counselor license, chemical 462
dependency counselor III license, chemical dependency counselor II 463
license, or chemical dependency counselor assistant certificate 464
issued under this chapter; 465

(2) Use the title "licensed independent chemical dependency 466
counselor-clinical supervisor," "LICDC-CS," "licensed independent 467
chemical dependency counselor," "LICDC," "licensed chemical 468
dependency counselor III," "LCDC III," "licensed chemical 469
dependency counselor II," "LCDC II," "chemical dependency 470
counselor assistant," "CDCA," or any other title or description 471
incorporating the word "chemical dependency counselor" or any 472
other initials used to identify persons acting in those capacities 473
unless currently authorized under this chapter to act in the 474
capacity indicated by the title or initials; 475

(3) Represent to the public that the person holds a gambling 476
disorder endorsement unless the person holds a valid gambling 477
disorder endorsement issued under this chapter; 478

(4) Represent to the public that the person is a registered 479
applicant unless the person holds a valid registered applicant 480
certificate issued under this chapter; 481

(5) Use the title "certified prevention ~~specialist II~~ 482
consultant," "~~CPS II~~ CPC," "certified prevention specialist ~~II~~," 483
"CPS ~~II~~," "certified prevention specialist assistant," "CPSA," 484
"registered applicant," "RA," or any other title, description, or 485
initials used to identify persons acting in those capacities 486
unless currently authorized under this chapter to act in the 487
capacity indicated by the title or initials. 488

(B) No person shall engage in or represent to the public that 489
the person engages in chemical dependency counseling as a chemical 490
dependency counselor I. 491

Sec. 4758.10. (A) There is hereby created the chemical 492
dependency professionals board. 493

(B) The governor shall appoint all of the following voting 494
members of the board with the advice and consent of the senate: 495

(1) Four individuals who hold a valid independent chemical 496
dependency counselor-clinical supervisor license or independent 497
chemical dependency counselor license issued under this chapter, 498
including at least two of whom have received at least a master's 499
degree in a field related to chemical dependency counseling from 500
an accredited educational institution; 501

(2) Two individuals who hold a valid chemical dependency 502
counselor III license issued under this chapter; 503

(3) One individual who holds a valid chemical dependency 504
counselor II license issued under this chapter; 505

(4) Two individuals who hold a valid prevention ~~specialist II~~ 506
consultant certificate or prevention specialist ~~II~~ certificate 507
issued under this chapter; 508

(5) One individual who is authorized under Chapter 4731. of 509
the Revised Code to practice medicine and surgery or osteopathic 510
medicine and surgery and has experience practicing in a field 511

related to chemical dependency counseling; 512

(6) Two individuals who represent the public and have not 513
practiced chemical dependency counseling or ~~alcohol and other drug~~ 514
prevention services and have not been involved in the delivery of 515
chemical dependency counseling services or ~~alcohol and other drug~~ 516
prevention services. At least one of these individuals shall be at 517
least fifty years of age. During their terms, the public members 518
shall not practice chemical dependency counseling or ~~alcohol and~~ 519
~~other drug~~ prevention services or be involved in the delivery of 520
chemical dependency counseling services or ~~alcohol and other drug~~ 521
prevention services. 522

(C) Not later than ninety days after December 23, 2002, the 523
director of mental health and addiction services shall appoint an 524
individual who represents the department of mental health and 525
addiction services to serve as an ex officio member of the 526
chemical dependency professionals board. 527

(D) Not more than one-half of the voting members of the board 528
may be of the same gender or members of the same political party. 529
At least two voting members of the board shall be of African, 530
Native American, Hispanic, or Asian descent. 531

Sec. 4758.13. The chemical dependency professionals board 532
shall meet to discuss matters relating to the administration and 533
operation of the board and the regulation of the practices of 534
chemical dependency counseling and ~~alcohol and other drug~~ 535
prevention services. The board shall hold at least one regular 536
meeting every three months. Additional meetings may be held at 537
such times as the board determines, on the call of the 538
chairperson, or on the written request to the executive director 539
of three or more voting board members. If three or more voting 540
members request a meeting, the executive director shall call a 541
meeting, which shall be held not later than seven days after the 542

request is received. 543

Seven voting members of the board constitute a quorum to 544
conduct business. Except as provided in section 4758.32 of the 545
Revised Code, no action shall be taken without the concurrence of 546
at least a quorum. 547

At its first meeting each year, the board shall elect a 548
chairperson from among its voting members. No member shall serve 549
more than two consecutive terms as chairperson. 550

The board shall keep any records and minutes necessary to 551
fulfill the duties established by this chapter and rules adopted 552
under it. 553

Sec. 4758.20. (A) The chemical dependency professionals board 554
shall adopt rules to establish, specify, or provide for all of the 555
following: 556

(1) Fees for the purposes authorized by section 4758.21 of 557
the Revised Code; 558

(2) If the board, pursuant to section 4758.221 of the Revised 559
Code, elects to administer examinations for individuals seeking to 560
act as substance abuse professionals in a U.S. department of 561
transportation drug and alcohol testing program, the board's 562
administration of the examinations; 563

(3) For the purpose of section 4758.23 of the Revised Code, 564
codes of ethical practice and professional conduct for individuals 565
who hold a license, certificate, or endorsement issued under this 566
chapter; 567

(4) For the purpose of section 4758.24 of the Revised Code, 568
all of the following: 569

(a) Good moral character requirements for an individual who 570
seeks or holds a license, certificate, or endorsement issued under 571
this chapter; 572

(b) The documents that an individual seeking such a license, certificate, or endorsement must submit to the board;	573 574
(c) Requirements to obtain the license, certificate, or endorsement that are in addition to the requirements established under sections 4758.39, 4758.40, 4758.41, 4758.42, 4758.43, 4758.44, 4758.45, 4758.46, 4758.47, and 4758.48 of the Revised Code. The additional requirements may include preceptorships.	575 576 577 578 579
(d) The period of time that an individual whose registered applicant certificate has expired must wait before applying for a new registered applicant certificate.	580 581 582
(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, certificate, or endorsement issued under this chapter;	583 584 585 586
(6) For the purpose of section 4758.30 of the Revised Code, the intervention for and treatment of an individual holding a license, certificate, or endorsement 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;	587 588 589 590 591 592
(7) Requirements governing reinstatement of a suspended or revoked license, certificate, or endorsement under division (B) of section 4758.30 of the Revised Code, including requirements for determining the amount of time an individual must wait to apply for reinstatement;	593 594 595 596 597
(8) For the purpose of section 4758.31 of the Revised Code, methods of ensuring that all records the board holds pertaining to an investigation remain confidential during the investigation;	598 599 600
(9) Criteria for employees of the board to follow when performing their duties under division (B) of section 4758.35 of the Revised Code;	601 602 603

(10) For the purpose of division (A)(1) of section 4758.39 604
and division (A)(1) of section 4758.40 of the Revised Code, course 605
requirements for a degree in a behavioral science or nursing that 606
shall, at a minimum, include at least forty semester hours in all 607
of the following courses: 608

(a) Theories of counseling and psychotherapy; 609

(b) Counseling procedures; 610

(c) Group process and techniques; 611

(d) Relationship therapy; 612

(e) Research methods and statistics; 613

(f) Fundamentals of assessment and diagnosis, including 614
measurement and appraisal; 615

(g) Psychopathology; 616

(h) Human development; 617

(i) Cultural competence in counseling; 618

(j) Ethics. 619

(11) For the purpose of division (A)(2) of section 4758.39 of 620
the Revised Code, the number of hours of compensated work or 621
supervised internship experience that an individual must have and 622
the number of those hours that must be in clinical supervisory 623
experience; 624

(12) For the purpose of division (A)(3) of section 4758.39, 625
division (A)(3) of section 4758.40, division (A)(3) of section 626
4758.41, and division (A)(3) of section 4758.42 of the Revised 627
Code, ~~training~~ both of the following: 628

(a) The number of hours of training in chemical dependency an 629
individual must have; 630

(b) Training requirements for chemical dependency that shall, 631
at a minimum, include qualifications for the individuals who 632

provide the training and instruction in all of the following	633
courses:	634
(a) (i) Theories of addiction;	635
(b) (ii) Counseling procedures and strategies with addicted populations;	636 637
(c) (iii) Group process and techniques working with addicted populations;	638 639
(d) (iv) Assessment and diagnosis of addiction;	640
(e) (v) Relationship counseling with addicted populations;	641
(f) (vi) Pharmacology;	642
(g) (vii) Prevention strategies;	643
(h) (viii) Treatment planning;	644
(i) (ix) Legal and ethical issues.	645
(12) (13) <u>For the purpose of division (A)(2) of section 4758.40, division (A)(2) of section 4758.41, and division (A)(2) of section 4758.42 of the Revised Code, the number of hours of compensated work or supervised internship experience that an individual must have;</u>	646 647 648 649 650
(14) For the purpose of division (B)(2)(b) of section 4758.40 and division (B)(2) of section 4758.41 of the Revised Code, requirements for the forty clock hours of training on the version of the diagnostic and statistical manual of mental disorders that is current at the time of the training, including the number of the clock hours that must be on substance-related disorders, the number of the clock hours that must be on chemical dependency conditions, and the number of the clock hours that must be on awareness of other mental and emotional disorders;	651 652 653 654 655 656 657 658 659
(13) (15) For the purpose of division (A)(1) of section 4758.41 of the Revised Code, course requirements for a degree in a	660 661

behavioral science or nursing; 662

~~(14)~~(16) For the purpose of division (A) of section 4758.43 663
of the Revised Code, ~~training~~ both of the following: 664

(a) The number of hours of training in chemical dependency 665
counseling that an individual must have; 666

(b) Training requirements for chemical dependency counseling 667
that shall, at a minimum, include qualifications for the 668
individuals who provide the training and instruction in one or 669
more of the courses listed in division (A)(10) of this section as 670
selected by the individual seeking the chemical dependency 671
counselor assistant certificate. 672

~~(15)~~(17) For the purpose of division (A)(1) of section 673
4758.44 of the Revised Code, the number of hours of compensated 674
work experience in prevention services that an individual must 675
have and the number of those hours that must be in administering 676
or supervising the services; 677

(18) For the purpose of division (A)(2) of section 4758.44 of 678
the Revised Code, the field of study in which an individual must 679
obtain at least a bachelor's degree; 680

~~(16)~~(19) For the purpose of division (A)(3) of section 681
4758.44, division (A)(3) of section 4758.45, and division (D) of 682
section 4758.46 of the Revised Code, ~~requirements~~ both of the 683
following: 684

(a) The number of hours of prevention-related education that 685
an individual must have; 686

(b) Requirements for prevention-related education. 687

~~(17)~~(20) For the purpose of division (A)(4) of section 688
4758.44 of the Revised Code, the number of hours of administrative 689
or supervisory education that an individual must have; 690

~~(18)~~(21) For the purpose of division (A)(1) of section 691

4758.45 of the Revised Code, the number of hours of compensated or 692
volunteer work, field placement, intern, or practicum experience 693
in prevention services that an individual must have and the number 694
of those hours that must be in planning or delivering the 695
services; 696

(22) For the purpose of division (A)(2) of section 4758.45 of 697
the Revised Code, the field of study in which an individual must 698
obtain at least an associate's degree; 699

~~(19)~~(23) For the purpose of division (C) of section 4758.46 700
of the Revised Code, the number of hours of compensated or 701
volunteer work, field placement, intern, or practicum experience 702
in prevention services that an individual must have; 703

(24) Standards for the one hundred hours of compensated work 704
or supervised internship in gambling disorder direct clinical 705
experience required by division (B)(2) of section 4758.48 of the 706
Revised Code; 707

~~(20)~~(25) For the purpose of section 4758.51 of the Revised 708
Code, continuing education requirements for individuals who hold a 709
license, certificate, or endorsement issued under this chapter; 710

~~(21)~~(26) For the purpose of section 4758.51 of the Revised 711
Code, the number of hours of continuing education that an 712
individual must complete to have an expired license, certificate, 713
or endorsement restored under section 4758.26 of the Revised Code; 714

~~(22)~~(27) For the purpose of divisions (A) and (B) of section 715
4758.52 of the Revised Code, training requirements for chemical 716
dependency counseling; 717

~~(23)~~(28) The duties, which may differ, of all of the 718
following: 719

(a) An independent chemical dependency counselor-clinical 720
supervisor licensed under this chapter who supervises a chemical 721

dependency counselor III under section 4758.56 of the Revised Code;	722 723
(b) An independent chemical dependency counselor-clinical supervisor, independent chemical dependency counselor, or chemical dependency counselor III licensed under this chapter who supervises a chemical dependency counselor assistant under section 4758.59 of the Revised Code;	724 725 726 727 728
(c) A prevention specialist <u>consultant</u> or prevention specialist ± certified under this chapter or independent chemical dependency counselor-clinical supervisor, independent chemical dependency counselor, or chemical dependency counselor III licensed under this chapter who supervises a prevention specialist assistant or registered applicant under section 4758.61 of the Revised Code.	729 730 731 732 733 734 735
(24) <u>(29)</u> The duties of an independent chemical dependency counselor licensed under this chapter who holds the gambling disorder endorsement who supervises a chemical dependency counselor III with the gambling disorder endorsement under section 4758.62 of the Revised Code.	736 737 738 739 740
(25) <u>(30)</u> Anything else necessary to administer this chapter.	741
(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.	742 743 744
(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.	745 746 747 748 749
Sec. 4758.21. (A) In accordance with rules adopted under section 4758.20 of the Revised Code and subject to division (B) of	750 751

this section, the chemical dependency professionals board shall 752
establish, and may from time to time adjust, fees to be charged 753
for the following: 754

(1) Admitting an individual to an examination administered 755
pursuant to section 4758.22 of the Revised Code; 756

(2) Issuing an initial independent chemical dependency 757
counselor-clinical supervisor license, independent chemical 758
dependency counselor license, chemical dependency counselor III 759
license, chemical dependency counselor II license, chemical 760
dependency counselor assistant certificate, prevention ~~specialist~~ 761
~~±~~ consultant certificate, prevention specialist ~~±~~ certificate, 762
prevention specialist assistant certificate, or registered 763
applicant certificate; 764

(3) Issuing an initial gambling disorder endorsement; 765

(4) Renewing an independent chemical dependency 766
counselor-clinical supervisor license, independent chemical 767
dependency counselor license, chemical dependency counselor III 768
license, chemical dependency counselor II license, chemical 769
dependency counselor assistant certificate, prevention ~~specialist~~ 770
~~±~~ consultant certificate, prevention specialist ~~±~~ certificate, or 771
prevention specialist assistant certificate; 772

(5) Renewing a gambling disorder endorsement; 773

(6) Approving continuing education courses under section 774
4758.28 of the Revised Code; 775

(7) Doing anything else the board determines necessary to 776
administer this chapter. 777

(B) The fees established under division (A) of this section 778
are nonrefundable. They shall be in amounts sufficient to cover 779
the necessary expenses of the board in administering this chapter 780
and rules adopted under it. The fees for a license, certificate, 781

or endorsement and the renewal of a license, certificate, or 782
endorsement may differ for the various types of licenses, 783
certificates, or endorsements, but shall not exceed one hundred 784
seventy-five dollars each, unless the board determines that 785
amounts in excess of one hundred seventy-five dollars are needed 786
to cover its necessary expenses in administering this chapter and 787
rules adopted under it and the amounts in excess of one hundred 788
seventy-five dollars are approved by the controlling board. 789

(C) All vouchers of the board shall be approved by the 790
chairperson or executive director of the board, or both, as 791
authorized by the board. 792

Sec. 4758.22. The chemical dependency professionals board 793
shall prepare, cause to be prepared, or procure the use of, and 794
grade, cause to be graded, or procure the grading of, examinations 795
to determine the competence of individuals seeking an independent 796
chemical dependency counselor-clinical supervisor license, 797
independent chemical dependency counselor license, chemical 798
dependency counselor III license, chemical dependency counselor II 799
license, prevention ~~specialist~~ consultant certificate, or 800
prevention specialist \mp certificate. The board may develop the 801
examinations or use examinations prepared by state or national 802
organizations that represent the interests of those involved in 803
chemical dependency counseling or ~~alcohol and other drug~~ 804
prevention services. The board shall conduct examinations at least 805
twice each year and shall determine the level of competence 806
necessary for a passing score. 807

An individual may not sit for an examination administered 808
pursuant to this section unless the individual meets the 809
requirements to obtain the license or certificate the individual 810
seeks, other than the requirement to have passed the examination, 811
and pays the fee established under section 4758.21 of the Revised 812

Code. An individual who is denied admission to the examination may 813
appeal the denial in accordance with Chapter 119. of the Revised 814
Code. 815

Sec. 4758.23. (A) In rules adopted under section 4758.20 of 816
the Revised Code, the chemical dependency professionals board 817
shall establish codes of ethical practice and professional conduct 818
for the following: 819

(1) Individuals who hold a valid independent chemical 820
dependency counselor-clinical supervisor license, independent 821
chemical dependency counselor license, chemical dependency 822
counselor III license, chemical dependency counselor II license, 823
or chemical dependency counselor assistant certificate issued 824
under this chapter; 825

(2) Individuals who hold a valid prevention ~~specialist II~~ 826
consultant certificate, prevention specialist \mp certificate, 827
prevention specialist assistant certificate, or registered 828
applicant certificate issued under this chapter; 829

(3) Individuals who hold a valid gambling disorder 830
endorsement. 831

(B) The codes for individuals identified under division 832
(A)(1) of this section shall define unprofessional conduct, which 833
shall include engaging in a dual relationship with a client, 834
former client, consumer, or former consumer; committing an act of 835
sexual abuse, misconduct, or exploitation of a client, former 836
client, consumer, or former consumer; and, except as permitted by 837
law, violating client or consumer confidentiality. 838

(C) The codes for individuals identified under division 839
(A)(1) of this section may be based on any codes of ethical 840
practice and professional conduct developed by national 841
associations or other organizations representing the interests of 842

those involved in chemical dependency counseling. The codes for 843
individuals identified under division (A)(2) of this section may 844
be based on any codes of ethical practice and professional conduct 845
developed by national associations or other organizations 846
representing the interests of those involved in ~~alcohol and other~~ 847
~~drug~~ prevention services. The board may establish standards in the 848
codes that are more stringent than those established by the 849
national associations or other organizations. 850

Sec. 4758.30. (A) The chemical dependency professionals 851
board, in accordance with Chapter 119. of the Revised Code, may 852
refuse to issue a license, certificate, or endorsement applied for 853
under this chapter; refuse to renew or restore a license, 854
certificate, or endorsement issued under this chapter; suspend, 855
revoke, or otherwise restrict a license, certificate, or 856
endorsement issued under this chapter; or reprimand an individual 857
holding a license, certificate, or endorsement issued under this 858
chapter. These actions may be taken by the board regarding the 859
applicant for a license, certificate, or endorsement or the 860
individual holding a license, certificate, or endorsement for one 861
or more of the following reasons: 862

(1) Violation of any provision of this chapter or rules 863
adopted under it; 864

(2) Knowingly making a false statement on an application for 865
a license, certificate, or endorsement or for renewal, 866
restoration, or reinstatement of a license, certificate, or 867
endorsement; 868

(3) Acceptance of a commission or rebate for referring an 869
individual to a person who holds a license or certificate issued 870
by, or who is registered with, an entity of state government, 871
including persons practicing chemical dependency counseling, 872
~~alcohol and other drug~~ prevention services, gambling disorder 873

counseling, or fields related to chemical dependency counseling,	874
gambling disorder counseling, or alcohol and other drug prevention	875
services, or <u>gambling disorder counseling</u>;	876
(4) Conviction in this or any other state of any crime that	877
is a felony in this state;	878
(5) Conviction in this or any other state of a misdemeanor	879
committed in the course of practice as an independent chemical	880
dependency counselor-clinical supervisor, independent chemical	881
dependency counselor, chemical dependency counselor III, chemical	882
dependency counselor II, chemical dependency counselor assistant,	883
prevention specialist <u>consultant</u> , gambling disorder endorsee,	884
prevention specialist ± , prevention specialist assistant, or	885
registered applicant;	886
(6) Inability to practice as an independent chemical	887
dependency counselor-clinical supervisor, independent chemical	888
dependency counselor, chemical dependency counselor III, chemical	889
dependency counselor II, chemical dependency counselor assistant,	890
gambling disorder endorsee, prevention specialist <u>consultant</u> ,	891
prevention specialist ± , prevention specialist assistant, or	892
registered applicant due to abuse of or dependency on alcohol or	893
other drugs or other physical or mental condition;	894
(7) Practicing outside the individual's scope of practice;	895
(8) Practicing without complying with the supervision	896
requirements specified under section 4758.56, 4758.59, 4758.61, or	897
4758.62 of the Revised Code;	898
(9) Violation of the code of ethical practice and	899
professional conduct for chemical dependency counseling, alcohol	900
and other drug prevention services , or gambling disorder	901
counseling services adopted by the board pursuant to section	902
4758.23 of the Revised Code;	903
(10) Revocation of a license, certificate, or endorsement or	904

voluntary surrender of a license, certificate, or endorsement in 905
another state or jurisdiction for an offense that would be a 906
violation of this chapter. 907

(B) An individual whose license, certificate, or endorsement 908
has been suspended or revoked under this section may apply to the 909
board for reinstatement after an amount of time the board shall 910
determine in accordance with rules adopted under section 4758.20 911
of the Revised Code. The board may accept or refuse an application 912
for reinstatement. The board may require an examination for 913
reinstatement of a license, certificate, or endorsement that has 914
been suspended or revoked. 915

Sec. 4758.31. The chemical dependency professionals board 916
shall investigate alleged violations of this chapter or the rules 917
adopted under it and alleged irregularities in the delivery of 918
chemical dependency counseling services, prevention services, or 919
gambling disorder counseling services, ~~or alcohol and other drug~~ 920
~~prevention services~~ by individuals who hold a license, 921
certificate, or endorsement issued under this chapter. As part of 922
an investigation, the board may issue subpoenas, examine 923
witnesses, and administer oaths. 924

The board may receive any information necessary to conduct an 925
investigation under this section that has been obtained in 926
accordance with federal laws and regulations. If the board is 927
investigating the provision of chemical dependency counseling 928
services or gambling disorder counseling services to a couple or 929
group, it is not necessary for both members of the couple or all 930
members of the group to consent to the release of information 931
relevant to the investigation. 932

The board shall ensure, in accordance with rules adopted 933
under section 4758.20 of the Revised Code, that all records it 934
holds pertaining to an investigation remain confidential during 935

the investigation. After the investigation, the records are public 936
records except as otherwise provided by federal or state law. 937

Sec. 4758.36. As part of the review process under division 938
(C) of section 4758.35 of the Revised Code of an application 939
submitted by an applicant ~~who has obtained the applicant's~~ whose 940
education, or experience in chemical dependency counseling, 941
~~gambling disorder, or alcohol and other drug~~ prevention services, 942
or gambling disorder counseling was obtained outside the United 943
States, or whose education and experience both were obtained 944
outside the United States, the chemical dependency professionals 945
board shall determine whether the applicant's command of the 946
English language and education or experience meet the standards 947
required by this chapter and rules adopted under it. 948

Sec. 4758.39. An individual seeking an independent chemical 949
dependency counselor-clinical supervisor license shall meet the 950
requirements of division (A) or (B) of this section. 951

(A) To meet the requirements of this division, an individual 952
must meet all of the following requirements: 953

(1) Hold from an accredited educational institution at least 954
a master's degree in either a behavioral science or nursing that 955
meets the course requirements specified in rules adopted under 956
section 4758.20 of the Revised Code; 957

(2) Have not less than ~~six thousand~~ the number of hours 958
specified in rules adopted under section 4758.20 of the Revised 959
Code of compensated work or supervised internship experience ~~(~~ 960
including at least ~~two thousand~~ the number of hours specified in 961
those rules of clinical supervisory experience ~~as part of the~~ 962
~~compensated work or supervised internship)~~, in any of the 963
following, not less than ~~one thousand two hundred hours~~ twenty per 964
cent of which are in chemical dependency counseling: 965

(a) Chemical dependency services, substance abuse services, 966
or both types of services; 967

(b) The practice of psychology, as defined in section 4732.01 968
of the Revised Code; 969

(c) The practice of professional counseling, the practice of 970
social work, or the practice of marriage and family therapy, all 971
as defined in section 4757.01 of the Revised Code. 972

(3) Have a minimum of ~~one hundred eighty~~ the number of hours 973
specified in rules adopted under section 4758.20 of the Revised 974
Code of training in chemical dependency that meets the 975
requirements specified in those ~~rules adopted under section~~ 976
~~4758.20 of the Revised Code~~; 977

(4) Unless the individual holds a valid license, 978
registration, certificate, or credentials issued under another 979
chapter of the Revised Code that authorizes the individual to 980
engage in a profession whose scope of practice includes the 981
clinical supervision of chemical dependency counseling, chemical 982
dependency counseling, and diagnosing and treating chemical 983
dependency conditions, pass one or more examinations administered 984
pursuant to section 4758.22 of the Revised Code for the purpose of 985
determining competence to practice as an independent chemical 986
dependency counselor-clinical supervisor. 987

(B) To meet the requirement of this division, an individual 988
must hold, on ~~the effective date of this section~~ March 22, 2013, a 989
valid independent chemical dependency counselor license. 990

Sec. 4758.40. An individual seeking an independent chemical 991
dependency counselor license shall meet the requirements of 992
division (A) or (B) of this section. 993

(A) To meet the requirements of this division, an individual 994
must meet all of the following requirements: 995

(1) Hold from an accredited educational institution at least 996
a master's degree in a behavioral science or nursing that meets 997
the course requirements specified in rules adopted under section 998
4758.20 of the Revised Code; 999

(2) Have not less than ~~two thousand~~ the number of hours 1000
specified in rules adopted under section 4758.20 of the Revised 1001
Code of compensated work or supervised internship experience in 1002
any of the following, not less than ~~four hundred hours~~ twenty per 1003
cent of which are in chemical dependency counseling: 1004

(a) Chemical dependency services, substance abuse services, 1005
or both types of services; 1006

(b) The practice of psychology, as defined in section 4732.01 1007
of the Revised Code; 1008

(c) The practice of professional counseling, the practice of 1009
social work, or the practice of marriage and family therapy, all 1010
as defined in section 4757.01 of the Revised Code. 1011

(3) Have a minimum of ~~one hundred eighty~~ the number of hours 1012
specified in rules adopted under section 4758.20 of the Revised 1013
Code of training in chemical dependency that meets the 1014
requirements specified in those rules ~~adopted under section~~ 1015
~~4758.20 of the Revised Code~~; 1016

(4) Unless the individual holds a valid license, 1017
registration, certificate, or credentials issued under another 1018
chapter of the Revised Code that authorizes the individual to 1019
engage in a profession whose scope of practice includes chemical 1020
dependency counseling and diagnosing and treating chemical 1021
dependency conditions, pass one or more examinations administered 1022
pursuant to section 4758.22 of the Revised Code for the purpose of 1023
determining competence to practice as an independent chemical 1024
dependency counselor. 1025

(B) To meet the requirements of this division, an individual 1026

must meet both of the following requirements: 1027

(1) Hold, on December 23, 2002, a certificate or credentials 1028
that were accepted under former section 3793.07 of the Revised 1029
Code as authority to practice as a certified chemical dependency 1030
counselor III or certified chemical dependency counselor III-E; 1031

(2) Meet one of the following requirements: 1032

(a) Hold the degree described in division (A)(1) of this 1033
section; 1034

(b) Have held a chemical dependency counselor III, II, or I 1035
certificate for at least eight consecutive years and have not less 1036
than forty clock hours of training on the version of the 1037
diagnostic and statistical manual of mental disorders that is 1038
current at the time of the training. The training must meet the 1039
requirements specified in rules adopted under section 4758.20 of 1040
the Revised Code. An individual authorized under Chapter 4731. of 1041
the Revised Code to practice medicine and surgery or osteopathic 1042
medicine and surgery, a psychologist licensed under Chapter 4732. 1043
of the Revised Code, or a licensed professional clinical counselor 1044
or independent social worker licensed under Chapter 4757. of the 1045
Revised Code may provide any portion of the training. An 1046
independent chemical dependency counselor licensed under this 1047
chapter who holds the degree described in division (A)(1) of this 1048
section may provide the portion of the training on chemical 1049
dependency conditions. 1050

Sec. 4758.41. An individual seeking a chemical dependency 1051
counselor III license shall meet the requirements of division (A), 1052
(B), or (C) of this section. 1053

(A) To meet the requirements of this division, an individual 1054
must meet all of the following requirements: 1055

(1) Hold from an accredited educational institution at least 1056

a bachelor's degree in a behavioral science or nursing that meets 1057
the course requirements specified in rules adopted under section 1058
4758.20 of the Revised Code; 1059

(2) Have not less than ~~two thousand~~ the number of hours 1060
specified in rules adopted under section 4758.20 of the Revised 1061
Code of compensated work or supervised internship experience in 1062
any of the following, not less than ~~four hundred hours~~ twenty per 1063
cent of which are in chemical dependency counseling: 1064

(a) Chemical dependency services, substance abuse services, 1065
or both types of services; 1066

(b) The practice of psychology, as defined in section 4732.01 1067
of the Revised Code; 1068

(c) The practice of professional counseling, the practice of 1069
social work, or the practice of marriage and family therapy, all 1070
as defined in section 4757.01 of the Revised Code. 1071

(3) Have a minimum of ~~one hundred eighty~~ the number of hours 1072
specified in rules adopted under section 4758.20 of the Revised 1073
Code of training in chemical dependency that meets the 1074
requirements specified in those rules ~~adopted under section~~ 1075
~~4758.20 of the Revised Code~~; 1076

(4) Unless the individual holds a valid license, 1077
registration, certificate, or credentials issued under another 1078
chapter of the Revised Code that authorizes the individual to 1079
engage in a profession whose scope of practice includes chemical 1080
dependency counseling and diagnosing and treating chemical 1081
dependency conditions, pass one or more examinations administered 1082
pursuant to section 4758.22 of the Revised Code for the purpose of 1083
determining competence to practice as a chemical dependency 1084
counselor III. 1085

(B) To meet the requirements of this division, an individual 1086
must meet both of the following requirements: 1087

(1) Hold, on December 23, 2002, a certificate or credentials 1088
that were accepted under former section 3793.07 of the Revised 1089
Code as authority to practice as a certified chemical dependency 1090
counselor III or certified chemical dependency counselor III-E; 1091

(2) Have not less than forty clock hours of training on the 1092
version of the diagnostic and statistical manual of mental 1093
disorders that is current at the time of the training. The 1094
training must meet the requirements specified in rules adopted 1095
under section 4758.20 of the Revised Code. An individual 1096
authorized under Chapter 4731. of the Revised Code to practice 1097
medicine and surgery or osteopathic medicine and surgery, a 1098
psychologist licensed under Chapter 4732. of the Revised Code, or 1099
a licensed professional clinical counselor or independent social 1100
worker licensed under Chapter 4757. of the Revised Code may 1101
provide any portion of the training. An independent chemical 1102
dependency counselor licensed under this chapter who holds the 1103
degree described in division (A)(1) of section 4758.40 of the 1104
Revised Code may provide the portion of the training on chemical 1105
dependency conditions. 1106

(C) To meet the requirements of this division, an individual 1107
must meet all of the following requirements: 1108

(1) Hold, on December 23, 2002, a certificate or credentials 1109
that were accepted under former section 3793.07 of the Revised 1110
Code as authority to practice as a certified chemical dependency 1111
counselor II; 1112

(2) Meet the requirement of division (B)(2) of this section; 1113

(3) Hold a bachelor's degree in a behavioral science. 1114

Sec. 4758.42. An individual seeking a chemical dependency 1115
counselor II license shall meet the requirements of division (A) 1116
or (B) of this section. 1117

(A) To meet the requirements of this division, an individual 1118
must meet all of the following requirements: 1119

(1) Hold from an accredited educational institution an 1120
associate's degree in a behavioral science or nursing or a 1121
bachelor's degree in any field; 1122

(2) Have not less than ~~two thousand~~ the number of hours 1123
specified in rules adopted under section 4758.20 of the Revised 1124
Code of compensated work or supervised internship experience in 1125
any of the following, not less than ~~four hundred hours~~ twenty per 1126
cent of which are in chemical dependency counseling: 1127

(a) Chemical dependency services, substance abuse services, 1128
or both types of services; 1129

(b) The practice of psychology, as defined in section 4732.01 1130
of the Revised Code; 1131

(c) The practice of professional counseling, the practice of 1132
social work, or the practice of marriage and family therapy, all 1133
as defined in section 4757.01 of the Revised Code. 1134

(3) Have a minimum of ~~one hundred eighty~~ the number of hours 1135
specified in rules adopted under section 4758.20 of the Revised 1136
Code of training in chemical dependency that meets the 1137
requirements specified in those rules ~~adopted under section~~ 1138
~~4758.20 of the Revised Code;~~ 1139

(4) Pass one or more examinations administered pursuant to 1140
section 4758.22 of the Revised Code for the purpose of determining 1141
competence to practice as a chemical dependency counselor II. 1142

(B) To meet the requirement of this division, an individual 1143
must hold, on December 23, 2002, a certificate or credentials that 1144
were accepted under former section 3793.07 of the Revised Code as 1145
authority to practice as a certified chemical dependency counselor 1146
II. 1147

Sec. 4758.43. An individual seeking a chemical dependency counselor assistant certificate shall meet either of the following requirements: 1148
1149
1150

(A) Have at least ~~forty~~ the number of hours specified in 1151
rules adopted under section 4758.20 of the Revised Code of 1152
training in chemical dependency counseling that meets the 1153
requirements specified in those rules ~~adopted under section~~ 1154
~~4758.20 of the Revised Code;~~ 1155

(B) Hold, on December 23, 2002, a certificate or credentials 1156
that were accepted under former section 3793.07 of the Revised 1157
Code as authority to practice as a registered candidate. 1158

Sec. 4758.44. An individual seeking a prevention ~~specialist~~ 1159
~~¶~~ consultant certificate shall meet the requirements of division 1160
(A) or (B) of this section. 1161

(A) To meet the requirements of this division, an individual 1162
must meet all of the following requirements: 1163

(1) Have at least ~~six thousand~~ the number of hours specified 1164
in rules adopted under section 4758.20 of the Revised Code of 1165
compensated work experience in ~~alcohol and other drug~~ prevention 1166
services, including at least ~~four thousand~~ the number of hours 1167
specified in those rules of administering or supervising the 1168
services; 1169

(2) Hold from an accredited educational institution at least 1170
a bachelor's degree in a field of study specified in rules adopted 1171
under section 4758.20 of the Revised Code; 1172

(3) Have at least ~~one hundred~~ the number of hours specified 1173
in rules adopted under section 4758.20 of the Revised Code of 1174
prevention-related education that meets the requirements specified 1175
in those rules ~~adopted under section 4758.20 of the Revised Code;~~ 1176

(4) Have at least the number of hours specified in rules 1177
adopted under section 4758.20 of the Revised Code of 1178
administrative or supervisory education ~~specified in rules adopted~~ 1179
~~under section 4758.20 of the Revised Code;~~ 1180

(5) Pass one or more examinations administered pursuant to 1181
section 4758.22 of the Revised Code for the purpose of determining 1182
competence to practice as a prevention ~~specialist II~~ consultant. 1183

(B) To meet the requirement of this division, an individual 1184
must hold, on December 23, 2002, a certificate or credentials that 1185
were accepted under former section 3793.07 of the Revised Code as 1186
authority to practice as a certified prevention specialist II. 1187

Sec. 4758.45. An individual seeking a prevention specialist I 1188
certificate shall meet the requirements of division (A) or (B) of 1189
this section. 1190

(A) To meet the requirements of this division, an individual 1191
must meet all of the following requirements: 1192

(1) Have at least ~~two thousand~~ the number of hours specified 1193
in rules adopted under section 4758.20 of the Revised Code of 1194
compensated or volunteer work, field placement, intern, or 1195
practicum experience in ~~alcohol and other drug~~ prevention 1196
services, including at least ~~four hundred~~ the number of hours 1197
specified in those rules of planning or delivering the services; 1198

(2) Hold from an accredited educational institution at least 1199
an associate's degree in a field of study specified in rules 1200
adopted under section 4758.20 of the Revised Code; 1201

(3) Have at least ~~one hundred~~ the number of hours specified 1202
in rules adopted under section 4758.20 of the Revised Code of 1203
prevention-related education that meets the requirements specified 1204
in those rules ~~adopted under section 4758.20 of the Revised Code;~~ 1205

(4) Pass one or more examinations administered pursuant to 1206

section 4758.22 of the Revised Code for the purpose of determining 1207
competence to practice as a prevention specialist †. 1208

(B) To meet the requirement of this division, an individual 1209
must hold, on December 23, 2002, a certificate or credentials that 1210
were accepted under former section 3793.07 of the Revised Code as 1211
authority to practice as a certified prevention specialist I. 1212

Sec. 4758.46. An individual seeking a prevention specialist 1213
assistant certificate shall meet all of the following 1214
requirements: 1215

(A) Be at least eighteen years of age; 1216

(B) Have at least a high school diploma or high school 1217
equivalence diploma; 1218

(C) Have at least ~~one hundred~~ the number of hours specified 1219
in rules adopted under section 4758.20 of the Revised Code of 1220
compensated or volunteer work, field placement, intern, or 1221
practicum experience in ~~alcohol and other drug~~ prevention 1222
services; 1223

(D) Have at least ~~forty five~~ the number of hours specified in 1224
rules adopted under section 4758.20 of the Revised Code of 1225
prevention-related education that meets the requirements specified 1226
in those rules ~~adopted under section 4758.20 of the Revised Code.~~ 1227

Sec. 4758.60. An individual who holds a valid prevention 1228
~~specialist II consultant~~ certificate or prevention specialist † 1229
certificate issued under this chapter may engage in the practice 1230
of prevention services as specified in rules adopted under section 1231
4758.20 of the Revised Code. 1232

Sec. 4758.61. An individual who holds a valid prevention 1233
specialist assistant certificate or registered applicant 1234
certificate issued under this chapter may engage in the practice 1235

of alcohol and other drug prevention services under the	1236
supervision of any of the following:	1237
(A) A prevention specialist <u>consultant</u> or prevention	1238
specialist ± certified under this chapter;	1239
(B) An independent chemical dependency counselor-clinical	1240
supervisor, an independent chemical dependency counselor, or a	1241
chemical dependency counselor III licensed under this chapter;	1242
(C) An individual authorized under Chapter 4731. of the	1243
Revised Code to practice medicine and surgery or osteopathic	1244
medicine and surgery;	1245
(D) A psychologist licensed under Chapter 4732. of the	1246
Revised Code;	1247
(E) A registered nurse licensed under Chapter 4723. of the	1248
Revised Code;	1249
(F) A licensed professional clinical counselor, a licensed	1250
professional counselor, an independent social worker, a social	1251
worker, an independent marriage and family therapist, or a	1252
marriage and family therapist licensed under Chapter 4757. of the	1253
Revised Code;	1254
(G) A school counselor licensed by the department of	1255
education pursuant to section 3319.22 of the Revised Code;	1256
(H) A health education specialist certified by the national	1257
commission for health education credentialing;	1258
(I) An individual authorized to practice as a certified nurse	1259
practitioner or clinical nurse specialist under Chapter 4723. of	1260
the Revised Code.	1261
Section 2. That existing sections 2305.234, 4757.41, 4758.01,	1262
4758.02, 4758.10, 4758.13, 4758.20, 4758.21, 4758.22, 4758.23,	1263
4758.30, 4758.31, 4758.36, 4758.39, 4758.40, 4758.41, 4758.42,	1264

4758.43, 4758.44, 4758.45, 4758.46, 4758.60, and 4758.61 of the 1265
Revised Code are hereby repealed. 1266

Section 3. (A) This act renames two of the certificates 1267
issued by the Chemical Dependency Professionals Board as follows: 1268

(1) A prevention specialist I certificate is renamed a 1269
prevention specialist certificate; 1270

(2) A prevention specialist II certificate is renamed a 1271
prevention consultant certificate. 1272

(B) A certificate described in division (A) of this section 1273
that is valid on the effective date of this act constitutes the 1274
renamed certificate and remains valid until its expiration date, 1275
unless earlier suspended or revoked by the Board. 1276