



Ohio Legislative Service Commission

Bill Analysis

Amber Hardesty

Sub. H.B. 62

128th General Assembly
(As Passed by the House)

Reps. Pryor, Book, Dodd, Domenick, Fende, Garrison, Letson, Luckie, Murray, Newcomb, Pillich, Slesnick, Ujvagi, Winburn, Yuko, Combs, Goyal, R. Adams, Bacon, Beck, Belcher, Blair, Bolon, Boose, Brown, Carney, Celeste, Chandler, Coley, Daniels, DeBose, DeGeeter, Dolan, Driehaus, Dyer, Evans, Foley, Gardner, Garland, Gerberry, Hackett, Hagan, Harris, Harwood, Hite, Hottinger, Huffman, Lundy, Mallory, Martin, Morgan, Okey, Patten, Phillips, Ruhl, Sayre, Schneider, Sears, Skindell, Snitchler, Stebelton, Stewart, Szollosi, Wachtmann, Weddington, B. Williams

BILL SUMMARY

- Requires relevant military experience to be considered by state licensing or certifying agencies and private state contractors toward licensure or certification.
- Permits an education program approved by a governmental unit or contractor to grant advanced standing to an individual who served in the military for the individual's prior relevant military experience and coursework.
- Provides for waiver of a licensure or certification fee if a veteran within six months of separation from military duty applies for the license or certificate.
- Removes certain exemptions to the licensure and certification requirements for counselors, social workers, and marriage and family therapists.

CONTENT AND OPERATION

Military experience used toward licensing and certification requirements

(R.C. 5903.101(A))

The bill generally requires a state department, division, board, commission, agency, or other state governmental unit, or a private state contractor, authorized by the Revised Code to grant a licensure or certification, upon presentation of satisfactory

evidence, to consider relevant education, training, or service completed by an individual as a member of the United States armed forces or reserve components thereof, the national guard of any state, the military reserve of any state, or the naval militia of any state toward the qualifications required to receive the licensure or certification.

Consideration by accredited entity; advanced standing by education program

(R.C. 2903.101(B))

Under the bill, if an individual is required to successfully complete specific training or education authorized by a state or nationally accredited entity as a prerequisite for obtaining a state license or certification and the state or nationally accredited entity accepts relevant military education, service, or training to fulfill part or all of those requirements, the state department, division, board, commission, agency, or other state governmental unit or a private state contractor has met the duty described above under "**Military experience used toward licensing and certification requirements**" upon receiving proof by the individual of completion of the specific training or education authorized by a state or nationally accredited entity.

Additionally, the bill permits an education program approved by a state department, division, board, commission, agency, or other governmental unit or a private state contractor to grant advanced standing to an individual who served in the United States armed forces or reserves, the national guard of any state, the military reserve of any state, or the naval militia of any state for the individual's prior relevant military experience and coursework, in accordance with (1) the education program's specific written policies and procedures and (2) rules promulgated by the appropriate governmental unit or contractor that permit granting advanced standing in those education programs. If applicable, the advanced standing must be applied to the individual's status toward completion of an education program if the individual satisfies all of the program requirements adopted under the appropriate governmental unit's or contractor's rules.

Waiver of licensure or certification fee for veterans

(R.C. 5903.101(C))

Additionally, if, within six months before or after discharge or separation, an individual otherwise qualified to receive a licensure or certification presents satisfactory evidence of honorable discharge or separation under honorable conditions, the state department, division, board, commission, agency, or other state governmental unit, or a private state contractor, issuing the licensure or certification must waive any licensure or certification fee.

Licensure and certification exemptions for counselors, social workers, and marriage and family therapists

(R.C. 3107.014 and 4757.41; Section 3)

Existing law generally requires counselors, social workers, and marriage and family therapists to be licensed or certified before performing the duties of or engaging in the practice of counselors, social workers, or marriage and family therapists. However, the current law provides exemptions to this rule. One such exemption is for any person employed in the civil service¹ while engaging in social work or professional counseling as a civil service employee. The bill removes this exemption. The bill also removes an exemption for individuals with certification or credentials accepted by the Department of Alcohol and Drug Addiction Services who are acting within the scope of their certification or credentials as members of the profession of chemical dependency counseling or as alcohol and other drug prevention specialists because the provision is obsolete.

The bill specifies that a caseworker employed by a public children services agency under Ohio law² is not required to be otherwise licensed or certified.

The bill specifies that within one year after the bill's effective date, the Office of Collective Bargaining within the Department of Administrative Services must implement these changes. Further, the bill states that within 90 days after the bill's effective date, the Office of Collective Bargaining must negotiate with each state agency and the affected union to reach a mutually agreeable resolution for employees impacted by these changes.

Notwithstanding state job classification law or any other contrary provision of law, for state employees who are impacted by these changes, the Director of Administrative Services can implement any or all of the provisions of the mutually agreeable resolutions contemplated by the preceding paragraph. The bill clarifies that it must not be construed as restricting the Director from developing new classifications

¹ "Civil service" includes all offices and positions of trust or employment in the service of the state and in the service of the counties, cities, city health districts, general health districts, and city school districts of the state (R.C. 124.01, not in the bill).

² Current law states that a public children services agency can hire as a caseworker a person who has the following: (1) a bachelor's degree in human services-related studies, (2) a bachelor's degree in any field and has been employed for at least two years in a human services-related occupation, (3) an associate's degree in human services-related studies, (4) been employed for at least five years in a human services-related occupation. A person described in (2), (3), or (4) must obtain a job-related bachelor's degree within five years of the employment commencement date (R.C. 5153.112, not in the bill).

related to the changes or from reassigning impacted employees to appropriate classifications based on the employee's duties and qualifications.

Adoption assessors

Current law specifies the criteria an individual must meet in order to perform the duties of an adoption assessor. Under current law, the individual could be one of the following: a professional counselor, social worker, or marriage and family therapist; a psychologist; a student working to earn a four-year, post-secondary degree, or higher, in a social or behavior science, or both, who conducts assessor's duties under the supervision of a professional counselor, social worker, or marriage and family therapist or a psychologist; a former employee of a public children services agency who, while so employed, conducted the duties of an assessor; or a civil service employee engaging in social work without a license as described above. The bill removes the allowance for a civil service employee engaging in social work without a license as described above and instead allows an employee of a court or public children services agency employed to conduct the duties of an assessor to perform the duties of an adoption assessor.

HISTORY

ACTION	DATE
Introduced	03-04-09
Reported, H. Veterans Affairs	12-16-09
Passed House (98-0)	12-16-09

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