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# OHIO LEGISLATIVE SERVICE COMMISSION

Office of Research  
and Drafting

Legislative Budget  
Office

H.B. 365  
133<sup>rd</sup> General Assembly

## Bill Analysis

**Version:** As Introduced

**Primary Sponsor:** Rep. G. Manning

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### SUMMARY

- Revises the requirements to qualify for a chemical dependency counselor II license issued by the Ohio Chemical Dependency Professionals Board.

### DETAILED ANALYSIS

#### Chemical dependency professionals – background

Established in 2002, the Ohio Chemical Dependency Professionals Board regulates the practice of chemical dependency counseling, including by licensing chemical dependency professionals such as counselor assistants, counselors, and independent counselors.<sup>1</sup> At present, the holder of a chemical dependency counselor II license issued by the Board may engage in all of the following activities:

- Practice chemical dependency counseling;
- Perform treatment planning, assessment, crisis intervention, individual and group counseling, case management, and education services as they relate to alcohol and drug abuse or dependency;
- Refer individuals with nonchemical dependency conditions to appropriate sources of help.<sup>2</sup>

Note that current law prohibits such a license holder from practicing as an individual practitioner.<sup>3</sup>

<sup>1</sup> R.C. Chapter 4758.

<sup>2</sup> R.C. 4758.57(A), not in the bill.

<sup>3</sup> R.C. 4758.57(B), not in the bill.

H.B. 365 maintains the chemical dependency counselor II license and its scope of practice, but revises the requirements for qualifying for a license, including by authorizing alternative criteria for obtaining a license.<sup>4</sup>

## **Counselor II license requirements**

Under existing law, to qualify for a chemical dependency counselor II license, an individual must either (1) hold, on December 23, 2002, a certificate or credentials accepted by the former Department of Alcohol and Drug Addiction Services as authority to practice as a certified chemical dependency counselor II<sup>5</sup> or (2) meet all of the following criteria:

- Hold an associate's degree in a behavioral science or nursing or a bachelor's degree in any field;
- Have 180 hours of approved chemical dependency specific education, of which 50% must have been obtained in the last five years;
- Have completed 2,000 hours of compensated work or supervised internship experience in chemical dependency or substance abuse services or the practice of psychology, professional counseling, social work, or marriage and family therapy, not less than 400 of which are in chemical dependency counseling;
- Have a minimum of 220 hours of training in chemical dependency; and
- Have passed the International Certification and Reciprocity Consortium Alcohol and Drug Counselor Examination.<sup>6</sup>

## **License requirements under the bill**

The bill establishes two additional sets of criteria by which an individual may qualify for a chemical dependency counselor II license. The second criteria set, however, remains an option for license applicants only until three years after the bill's effective date.<sup>7</sup>

### **First criteria set**

Under the first new set, an individual must satisfy all of the following to qualify for a counselor II license:

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<sup>4</sup> R.C. 4758.42.

<sup>5</sup> R.C. 4758.42(B). *See also* H.B. 496 of the 124<sup>th</sup> General Assembly, available at [http://archives.legislature.state.oh.us/BillText124/124\\_HB\\_496\\_ENR.pdf](http://archives.legislature.state.oh.us/BillText124/124_HB_496_ENR.pdf). Before H.B. 496, the Ohio Department of Alcohol and Drug Addiction Services was required to establish and administer a process for the certification or credentialing of chemical dependency professionals for the purpose of qualifying their services for reimbursement under Medicare or Medicaid.

<sup>6</sup> R.C. 4758.42(A) and Ohio Administrative Code (O.A.C.) 4758-5-03.

<sup>7</sup> R.C. 4758.42.

- Hold an associate's degree or bachelor's degree in a behavioral science or nursing, each with a specialization in chemical dependency counseling;
- Have a minimum of 180 hours of education in chemical dependency that meets requirements specified in Board rules;
- While holding a valid chemical dependency counselor assistant certificate, have successfully completed at least one semester of practicum experience in chemical dependency that meets requirements specified in Board rules, including 16 practicum hours per week, at least two of which are supervised;
- Have at least 1,000 hours of compensated work experience as a chemical dependency counselor assistant;
- Provide to the Board a written recommendation from an individual who supervised the individual's practice as a chemical dependency counselor assistant; and
- Have passed one or more examinations administered for the purpose of determining competence to practice as a chemical dependency counselor II.<sup>8</sup>

### **Second criteria set**

Under the second new set, an individual must meet the following in order to qualify for a chemical dependency counselor II license:

- Since at least December 31, 2008, have continuously held a valid chemical dependency counselor assistant certificate or practiced chemical dependency counseling while under supervision;
- Provide to the Board a written recommendation from an individual who supervised the individual's practice as a chemical dependency counselor assistant;
- Have earned the minimum number of hours in chemical dependency training specified in Board rules; and
- Have passed one or more examinations administered for the purpose of determining competence to practice as a chemical dependency counselor II.<sup>9</sup>

### **Rulemaking**

The bill requires the Chemical Dependency Professionals Board to adopt rules specifying the education and practicum experience requirements for the first new criteria set.<sup>10</sup> It also requires the Board to adopt rules establishing chemical dependency training requirements for

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<sup>8</sup> R.C. 4758.42(C).

<sup>9</sup> R.C. 4758.42(D).

<sup>10</sup> R.C. 4758.20(A)(16) and (A)(17).

the second new criteria set.<sup>11</sup> The rules are to be adopted in accordance with the Administrative Procedure Act.<sup>12</sup>

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## HISTORY

Action	Date
Introduced	10-10-19

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H0365-I-133/ks

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<sup>11</sup> R.C. 4758.20(A)(12).

<sup>12</sup> R.C. 4758.20(B) and R.C. Chapter 119, not in the bill.