



House Bill 49 Testimony – Martha Flemming  
March 8, 2017

Chairman Faber, Ranking Member Patterson and members of the Finance Subcommittee on State Government and Agency Review, my name is Martha Flemming, and I am a Licensed Professional Clinical Counselor, a Licensed Independent Chemical Dependency Counselor, and a Counselor Supervisor with over 33 years of experience in the field of counseling. I am here as President of the Ohio Counseling Association to speak to you about House Bill 49, which includes the proposed consolidation of 3 currently operating boards into one Behavioral Health Services and Social Worker Board. The Ohio Counseling Association stands in strong opposition to the proposed change in structure of our current licensing boards.

This proposed change was suggested with the intent to save money for the taxpayers of Ohio, but it is important to note that the existing Boards are entirely self-sustaining through licensing fees. This legislation would do nothing to save or generate any monies for the residents of Ohio. Indeed, the proposal could actually lead to increased licensing fees over time, costing more than the current system.

We have a number of objections to this proposal, aside from the lack of any financial benefit to Ohio. The current Counselor, Social Worker and Marriage and Family Therapist Board is comprised of 15 members from the three disciplines, 4 Counselors, 4 Marriage and Family Therapists, 5 Social Workers, and 2 Public members. While these disciplines are related, they each have specific areas of expertise, focus, training, and scopes of practice.

The current Board structure allows for each discipline's representatives to assist in the oversight of matters germane to their specific profession through Professional subcommittees. These committees help to review licensure applications, establish professional standards, investigate complaints by consumers, provide disciplinary actions for licensees, review continuing education programming and applications, and maintain the integrity of their professions. This is, as one might imagine, a monumental task when it is realized that there are currently between 9,000 and 10,000 Professional Counselors and Professional Clinical Counselors in the State of Ohio. This proposal would take responsibility for all of those licensees and place it in the hands of only one counselor on the Board or would transfer authority for the profession into the hands of those who are not counselors.

We believe that this would compromise the high standards that Ohio has always had for counselors in that others would be required to make decisions for a profession that they do not completely understand or that it would be an overwhelming task for the lone counselor on the proposed Board. This also is in direct opposition of the nature of professional boards to be autonomous and self-regulating, two historical characteristics of licensing boards.

There are times when the Counselor Professional Standards subcommittee has been asked to approve hundreds of applications for licensure at one meeting. One counselor could not possibly evaluate all of those applications with any degree of consistency, which might allow for qualified candidates to be excluded from the profession, or worse perhaps, for unqualified candidates to enter the field. Compromising these standards may pose the greatest threat to citizens utilizing these professional services.

We believe that this proposal would make it more difficult to evaluate counselors who may want to transfer their license from another state to Ohio and to ensure that these new licensees meet the specific standards outlined for counselors in Ohio. There is at the present time a high demand for qualified counselors, particularly in light of the opiate crisis and the needs of our underserved veterans, so we cannot afford to compromise the industry further by slowing down the application process through understaffing or by licensing individuals who do not meet our state's standards.

Another concern with the proposed consolidation is the risk inherent in reducing oversight of an entire discipline's professional identity and standards to a smaller board. The current board consists of both practitioners and counselor educators, each of whom have particular areas of expertise that benefit the Board's overall functioning. Ohio has one of the highest educational standards for counselors in the nation, and the absence of a Counselor Educator with adequate knowledge of those standards could eventually compromise the quality of counselors being licensed in the State. Clinical counselors are those in the trenches, understanding the life of the consumer, working with emerging and evolving needs of the community, and are responsible for communicating to our Board and to educators what the current needs are in terms of training. Working together, counselor educators and clinicians define best practices and develop evidence based protocols for treatment. Both aspects of the profession need to have input into the standards that the Board sets forth. House Bill 49 would eliminate this by reducing our representation on the Board to only one position.

We have additional concerns that the consolidation plan severely undermines the Board's core duty to protect and enhance the health, safety, and general welfare of the public. Currently, members of the Board serve as Professional Investigative Liaisons, and are charged with examining complaints lodged against members of our profession and assisting staff in making decisions about those charges. Each Liaison may need to review over a dozen cases per month. If the number of counselors available to assist in this process is reduced, then again, standards could be lowered, which would create potential harm to the public. Because each discipline operates under their own set of standards, some stricter, some more lenient, there would potentially be a relaxing of requirements, which again would compromise community safety. Currently, our Board is structured in a manner that ensures integrity of the healthcare professionals they regulate. To our knowledge, there has not been a demonstrated need for change to a structure that is currently working as intended.

Because of these grave concerns, we are asking that this committee recommend that the consolidation proposal, House bill 49, be stricken from the Budget Bill and that the current structure be restored and be allowed to continue to operate efficiently.

Mr. Chairman and members of the subcommittee, I appreciate your consideration of the perspective of the Ohio Counseling Association. I would be happy to answer any questions you may have.