

As Reported by the House Health Committee

133rd General Assembly

Regular Session

2019-2020

H. B. No. 365

Representative Manning, G.

A BILL

To amend sections 4758.20 and 4758.42 of the 1
Revised Code to revise the requirements for a 2
chemical dependency counselor II license. 3

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

Section 1. That sections 4758.20 and 4758.42 of the 4
Revised Code be amended to read as follows: 5

Sec. 4758.20. (A) The chemical dependency professionals 6
board shall adopt rules to establish, specify, or provide for 7
all of the following: 8

(1) Fees for the purposes authorized by section 4758.21 of 9
the Revised Code; 10

(2) If the board, pursuant to section 4758.221 of the 11
Revised Code, elects to administer examinations for individuals 12
seeking to act as substance abuse professionals in a U.S. 13
department of transportation drug and alcohol testing program, 14
the board's administration of the examinations; 15

(3) For the purpose of section 4758.23 of the Revised 16
Code, codes of ethical practice and professional conduct for 17
individuals who hold a license, certificate, or endorsement 18

issued under this chapter;	19
(4) For the purpose of section 4758.24 of the Revised Code, all of the following:	20
(a) Good moral character requirements for an individual who seeks or holds a license, certificate, or endorsement issued under this chapter;	21
(b) The documents that an individual seeking such a license, certificate, or endorsement must submit to the board;	22
(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.	23
(d) The period of time that an individual whose registered applicant certificate has expired must wait before applying for a new registered applicant certificate.	24
(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;	25
(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;	26
(7) Requirements governing reinstatement of a suspended or revoked license, certificate, or endorsement under division (B)	27
	28
	29
	30
	31
	32
	33
	34
	35
	36
	37
	38
	39
	40
	41
	42
	43
	44
	45
	46

of section 4758.30 of the Revised Code, including requirements 47
for determining the amount of time an individual must wait to 48
apply for reinstatement; 49

(8) For the purpose of section 4758.31 of the Revised 50
Code, methods of ensuring that all records the board holds 51
pertaining to an investigation remain confidential during the 52
investigation; 53

(9) Criteria for employees of the board to follow when 54
performing their duties under division (B) of section 4758.35 of 55
the Revised Code; 56

(10) For the purpose of division (A) (1) of section 4758.39 57
and division (A) (1) of section 4758.40 of the Revised Code, 58
course requirements for a degree in a behavioral science or 59
nursing that shall, at a minimum, include at least forty 60
semester hours in all of the following courses: 61

(a) Theories of counseling and psychotherapy; 62

(b) Counseling procedures; 63

(c) Group process and techniques; 64

(d) Relationship therapy; 65

(e) Research methods and statistics; 66

(f) Fundamentals of assessment and diagnosis, including 67
measurement and appraisal; 68

(g) Psychopathology; 69

(h) Human development; 70

(i) Cultural competence in counseling; 71

(j) Ethics. 72

(11) For the purpose of division (A) (2) of section 4758.39 73
of the Revised Code, the number of hours of compensated work or 74
supervised internship experience that an individual must have 75
and the number of those hours that must be in clinical 76
supervisory experience; 77

(12) For the purpose of division (A) (3) of section 78
4758.39, division (A) (3) of section 4758.40, division (A) (3) of 79
section 4758.41, and ~~division~~ divisions (A) (3) and (D) (3) of 80
section 4758.42 of the Revised Code, both of the following: 81

(a) The number of hours of training in chemical dependency 82
an individual must have; 83

(b) Training requirements for chemical dependency that 84
shall, at a minimum, include qualifications for the individuals 85
who provide the training and the content areas covered in the 86
training. 87

(13) For the purpose of division (A) (2) of section 88
4758.40, division (A) (2) of section 4758.41, and division (A) (2) 89
of section 4758.42 of the Revised Code, the number of hours of 90
compensated work or supervised internship experience that an 91
individual must have; 92

(14) For the purpose of division (B) (2) (b) of section 93
4758.40 and division (B) (2) of section 4758.41 of the Revised 94
Code, requirements for the forty clock hours of training on the 95
version of the diagnostic and statistical manual of mental 96
disorders that is current at the time of the training, including 97
the number of the clock hours that must be on substance-related 98
disorders, the number of the clock hours that must be on 99
chemical dependency conditions, and the number of the clock 100
hours that must be on awareness of other mental and emotional 101

disorders;	102
(15) For the purpose of division (A) (1) of section 4758.41	103
of the Revised Code, course requirements for a degree in a	104
behavioral science or nursing;	105
(16) <u>For the purpose of division (C) (2) of section 4758.42</u>	106
<u>of the Revised Code, education requirements for chemical</u>	107
<u>dependency;</u>	108
(17) <u>For the purpose of division (C) (3) of section 4758.42</u>	109
<u>of the Revised Code, requirements for practicum experience in</u>	110
<u>chemical dependency;</u>	111
(18) <u>For the purpose of division (A) of section 4758.43 of</u>	112
<u>the Revised Code, both of the following:</u>	113
(a) The number of hours of training in chemical dependency	114
counseling that an individual must have;	115
(b) Training requirements for chemical dependency	116
counseling that shall, at a minimum, include qualifications for	117
the individuals who provide the training and the content areas	118
covered in the training.	119
(17) <u>(19)</u> For the purpose of division (A) (1) of section	120
4758.44 of the Revised Code, the number of hours of compensated	121
work experience in prevention services that an individual must	122
have and the number of those hours that must be in administering	123
or supervising the services;	124
(18) <u>(20)</u> For the purpose of division (A) (2) of section	125
4758.44 of the Revised Code, the field of study in which an	126
individual must obtain at least a bachelor's degree;	127
(19) <u>(21)</u> For the purpose of division (A) (3) of section	128
4758.44, division (A) (3) of section 4758.45, and division (D) of	129

section 4758.46 of the Revised Code, both of the following:	130
(a) The number of hours of prevention-related education	131
that an individual must have;	132
(b) Requirements for prevention-related education.	133
(20) <u>(22)</u> For the purpose of division (A) (4) of section	134
4758.44 of the Revised Code, the number of hours of	135
administrative or supervisory education that an individual must	136
have;	137
(21) <u>(23)</u> For the purpose of division (A) (1) of section	138
4758.45 of the Revised Code, the number of hours of compensated	139
or volunteer work, field placement, intern, or practicum	140
experience in prevention services that an individual must have	141
and the number of those hours that must be in planning or	142
delivering the services;	143
(22) <u>(24)</u> For the purpose of division (A) (2) of section	144
4758.45 of the Revised Code, the field of study in which an	145
individual must obtain at least an associate's degree;	146
(23) <u>(25)</u> For the purpose of division (C) of section	147
4758.46 of the Revised Code, the number of hours of compensated	148
or volunteer work, field placement, intern, or practicum	149
experience in prevention services that an individual must have;	150
(24) <u>(26)</u> Standards for the one hundred hours of	151
compensated work or supervised internship in gambling disorder	152
direct clinical experience required by division (B) (2) of	153
section 4758.48 of the Revised Code;	154
(25) <u>(27)</u> For the purpose of section 4758.51 of the	155
Revised Code, continuing education requirements for individuals	156
who hold a license, certificate, or endorsement issued under	157

this chapter;	158
(26) <u>(28)</u> For the purpose of section 4758.51 of the Revised Code, the number of hours of continuing education that an individual must complete to have an expired license, certificate, or endorsement restored under section 4758.26 of the Revised Code;	159 160 161 162 163
(27) <u>(29)</u> For the purpose of divisions (A) and (B) of section 4758.52 of the Revised Code, training requirements for chemical dependency counseling;	164 165 166
(28) <u>(30)</u> The duties, which may differ, of all of the following:	167 168
(a) An independent chemical dependency counselor-clinical supervisor licensed under this chapter who supervises a chemical dependency counselor III under section 4758.56 of the Revised Code;	169 170 171 172
(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;	173 174 175 176 177
(c) A prevention consultant 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.	178 179 180 181 182 183
(29) <u>(31)</u> The duties of an independent chemical dependency counselor licensed under this chapter who holds the gambling disorder endorsement who supervises a chemical dependency	184 185 186

counselor III with the gambling disorder endorsement under 187
section 4758.62 of the Revised Code. 188

~~(30)~~ (32) Anything else necessary to administer this 189
chapter. 190

(B) All rules adopted under this section shall be adopted 191
in accordance with Chapter 119. of the Revised Code and any 192
applicable federal laws and regulations. 193

(C) When it adopts rules under this section, the board may 194
consider standards established by any national association or 195
other organization representing the interests of those involved 196
in chemical dependency counseling or prevention services. 197

Sec. 4758.42. An individual seeking a chemical dependency 198
counselor II license shall meet the requirements of division (A) 199
~~or, (B), or (C)~~ of this section or, until three years after the 200
effective date of this amendment, division (A), (B), (C), or (D) 201
of this section. 202

(A) To meet the requirements of this division, an 203
individual must meet all of the following requirements: 204

(1) Hold from an accredited educational institution an 205
associate's degree in a behavioral science or nursing or a 206
bachelor's degree in any field; 207

(2) Have not less than the number of hours specified in 208
rules adopted under section 4758.20 of the Revised Code of 209
compensated work or supervised internship experience in any of 210
the following, not less than twenty per cent of which are in 211
chemical dependency counseling: 212

(a) Chemical dependency services, substance abuse 213
services, or both types of services; 214

(b) The practice of psychology, as defined in section 4732.01 of the Revised Code;	215 216
(c) The practice of professional counseling, the practice of social work, or the practice of marriage and family therapy, all as defined in section 4757.01 of the Revised Code.	217 218 219
(3) Have a minimum of the number of hours specified in rules adopted under section 4758.20 of the Revised Code of training in chemical dependency that meets the requirements specified in those rules;	220 221 222 223
(4) Pass one or more examinations administered pursuant to section 4758.22 of the Revised Code for the purpose of determining competence to practice as a chemical dependency counselor II.	224 225 226 227
(B) To meet the requirement of this division, an individual must hold, on December 23, 2002, a certificate or credentials that were accepted under former section 3793.07 of the Revised Code as authority to practice as a certified chemical dependency counselor II.	228 229 230 231 232
<u>(C) To meet the requirements of this division, an individual must meet all of the following requirements:</u>	233 234
<u>(1) Hold from an accredited educational institution an associate's or bachelor's degree in either of the following with a specialization in chemical dependency counseling:</u>	235 236 237
<u>(a) A behavioral science;</u>	238
<u>(b) Nursing.</u>	239
<u>(2) Have a minimum of one hundred eighty hours of education in chemical dependency that meets the requirements specified in rules adopted under section 4758.20 of the Revised</u>	240 241 242

<u>Code;</u>	243
<u>(3) While holding a valid chemical dependency counselor assistant certificate, have successfully completed at least one semester of practicum experience in chemical dependency that meets the requirements specified in rules adopted under section 4758.20 of the Revised Code and includes at least sixteen hours per week of practicum experience, at least two hours per week of which is supervised practicum experience;</u>	244 245 246 247 248 249 250
<u>(4) Have at least one thousand hours of compensated work experience as a chemical dependency counselor assistant;</u>	251 252
<u>(5) Provide to the chemical dependency professionals board a written recommendation from an individual who supervised the individual's practice of chemical dependency counseling as a chemical dependency counselor assistant as required by division (B) of section 4758.59 of the Revised Code;</u>	253 254 255 256 257
<u>(6) Pass one or more examinations administered pursuant to section 4758.22 of the Revised Code for the purpose of determining competence to practice as a chemical dependency counselor II.</u>	258 259 260 261
<u>(D) To meet the requirements of this division, an individual must meet all of the following requirements:</u>	262 263
<u>(1) Since at least December 31, 2008, continuously have done both of the following:</u>	264 265
<u>(a) Held a valid chemical dependency counselor assistant certificate;</u>	266 267
<u>(b) Practiced chemical dependency counseling while under supervision as required by division (B) of section 4758.59 of the Revised Code.</u>	268 269 270

<u>(2) Provide to the board a written recommendation from an</u>	271
<u>individual who supervised the individual's practice of chemical</u>	272
<u>dependency counseling as a chemical dependency counselor</u>	273
<u>assistant;</u>	274
<u>(3) Have a minimum of the number of hours specified in</u>	275
<u>rules adopted under section 4758.20 of the Revised Code of</u>	276
<u>training in chemical dependency that meets the requirements</u>	277
<u>specified in those rules;</u>	278
<u>(4) Pass one or more examinations administered pursuant to</u>	279
<u>section 4758.22 of the Revised Code for the purpose of</u>	280
<u>determining competence to practice as a chemical dependency</u>	281
<u>counselor II.</u>	282
Section 2. That existing sections 4758.20 and 4758.42 of	283
the Revised Code are hereby repealed.	284