



Chairman Huffman, Vice Chair Gavarone, Ranking Member Antonio and all members of the House Health Committee, thank you for the opportunity to comment on the substitute version of House Bill 557 on behalf of the Ohio Counseling Association (OCA). OCA is the professional association representing licensed professional clinical counselors, licensed professional counselors, and school counselors throughout Ohio.

My name is Sean Gorby and I am currently serving as the Government Relations Committee Chair of the OCA. Our organization has requested for an interested party meeting to be scheduled so we may review our concerns with the sponsor and proponents of the bill in greater detail. We are hopeful that a meeting will be scheduled.

OCA has several concerns with the bill as currently written. First, I must state that many members of our organization view art therapy (and other specialized therapies) as modalities of counseling. We are not convinced that a new license is needed for this profession. OCA recently participated in an interested party meeting regarding a separate possible bill to license music therapists. By passing this legislation, the door could be open for several new specialty licenses that encroach on the scope of practice of counselors and other licensed professionals.

Looking specifically at the provisions of substitute HB 557, we offer the following for your consideration:

- This bill will allow art therapists to diagnosis and treat affective, behavioral, and cognitive disorders or problems. Counselors in Ohio have rigorous training and supervisions standards in order to have the ability to independently diagnose and treat mental and emotional disorders. We must also adhere to the strong ethical standards of our profession. We are concerned that the ethical standards for art therapist do not address diagnosing. Instead, according to Art Therapy Credentialing Board: Art therapists shall assess, treat, or advise only in those cases in which they are competent as determined by their education, training, and experience.” There is no mention of diagnosis.: <https://www.atcb.org/Ethics/ATCBCCode#1.2>
- This bill would license art therapist under the Counselor, Social Worker and Marriage and Family Therapist Board. Originally, the bill would have licensed these individuals under the State Medical Board. We are not sure as to why the change was made in the substitute bill. Our current board is working efficiently and is providing robust protection to the public and ensuring high standards for their licensees.

Adding an additional profession will increase the work load for the board staff. We are not convinced there are enough potential art therapy licensees to cover the cost to the board to administer another license.

Additionally, most of the work regarding licensure approval, rule review, etc... is done by the professional standards committee. It is not appropriate for a professional association to do this work. The board members of the CSWMFT Board would have no expertise in art therapy. It is not a protection to the public to have them making the decisions.

- 4785.02 – OCA wants to ensure that currently licensed counselors, who use art as a part of their practice, are able to continue to practice as they currently are. The bill does contain a provision on line 1997 that exempts from licensure:

A person who holds a professional license in this state, or an employee who is supervised by a person who holds a professional license in this state, who engages in the practice of art therapy in a manner that is incidental to the practice of the person's or employee's profession, if the person does not represent the person's or employee's self as an art therapist.

While this is a good start, we are concerned about how the word “incidental” could be interpreted. We would prefer exemption language modeled after that included in current ORC section 4745.41. which states: This chapter shall not apply to the following:...Members of other professions licensed, certified, or registered by this state while performing services within the recognized scope, standards, and ethics of their respective professions.

- 4785.05 – This states the professional association SHALL submit recommendation to the board. The other licensee professional associations only have MAY. This should be consistent. It also allows the professional association to make recommendations regarding fees. We are not sure this is appropriate. Finally this section states that: “There is no limit on the number of times the association or its successor organization may resubmit a recommendation for consideration by the board.” This seems like a time waste for the board.
- 4785.06 – This allows for prorated license fees. Other licensees are not granted this possible discount.

Paragraph (4) needs strengthened regarding specific course work required for licensure.

This section also needs additional provisions to specify supervision requirements for licensure. It also warrants additional discussion regarding supervision requirements for independent licensure. For example, counselors can get a dependent license as a professional counselor. However, they need to fulfill additional training under supervision to get the independent professional clinical counselor license.

- 4785.07 (C)(2) – The process for counselors in Ohio is different from that outlines for art therapists under this legislation.

- 4785.11 – (B) – This section references the board adopting “guidelines” regarding civil penalties. This should be in rules, not guidelines.
- Regarding section 4785.99 – These penalties are not consistent with other licensees of the CSWMFT Board.

Members of the committee, we thank you for considering the perspective of the Ohio Counseling Association. We hope for additional opportunities for dialogue on this proposal. I would happy be to answer any questions you may have.