

As Introduced

**134th General Assembly
Regular Session
2021-2022**

H. B. No. 452

Representative Manning

A BILL

To amend sections 3923.29, 4758.01, 4758.02, 1
4758.03, 4758.10, 4758.13, 4758.16, 4758.20, 2
4758.21, 4758.22, 4758.221, 4758.23, 4758.26, 3
4758.27, 4758.30, 4758.31, 4758.36, 4758.39, 4
4758.40, 4758.41, 4758.42, 4758.43, 4758.52, 5
4758.54, 4758.55, 4758.56, 4758.57, 4758.59, 6
4758.64, and 4758.99 and to enact section 7
4758.201 of the Revised Code regarding the 8
Chemical Dependency Professional's Board and its 9
regulation of chemical dependency professionals. 10

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

Section 1. That sections 3923.29, 4758.01, 4758.02, 11
4758.03, 4758.10, 4758.13, 4758.16, 4758.20, 4758.21, 4758.22, 12
4758.221, 4758.23, 4758.26, 4758.27, 4758.30, 4758.31, 4758.36, 13
4758.39, 4758.40, 4758.41, 4758.42, 4758.43, 4758.52, 4758.54, 14
4758.55, 4758.56, 4758.57, 4758.59, 4758.64, and 4758.99 be 15
amended and section 4758.201 of the Revised Code be enacted to 16
read as follows: 17

Sec. 3923.29. (A) (1) Every policy of group sickness and 18
accident insurance providing hospital, surgical, or medical 19

expense coverage for other than specific diseases or accidents 20
only, and delivered, issued for delivery, or renewed in this 21
state on or after January 1, 1979, shall provide for each 22
eligible person under the policy who resides in this state, 23
outpatient, inpatient, and intermediate primary care benefits 24
for alcoholism that are at least equal to five hundred fifty 25
dollars in any calendar year or twelve-month period. 26

(2) The services shall be legally performed by or under 27
the clinical supervision of any of the following: 28

(a) A physician authorized under Chapter 4731. of the 29
Revised Code to practice medicine and surgery or osteopathic 30
medicine and surgery; 31

(b) A psychologist licensed under Chapter 4732. of the 32
Revised Code; 33

(c) A licensed professional clinical counselor, licensed 34
professional counselor, independent social worker, or 35
independent marriage and family therapist licensed under Chapter 36
4757. of the Revised Code whose practice includes ~~chemical-~~ 37
~~dependency~~ substance use disorder counseling; 38

(d) An independent chemical dependency counselor licensed 39
under Chapter 4758. of the Revised Code; 40

(e) A clinical nurse specialist or certified nurse 41
practitioner licensed under Chapter 4723. of the Revised Code 42
whose nursing specialty is mental health. 43

(3) The services may be performed in an office, in a 44
hospital, in a community mental health facility, or in an 45
alcoholism treatment facility so long as the hospital, community 46
mental health facility, or alcoholism treatment facility is 47
approved by the joint commission, the council on accreditation, 48

or the commission on accreditation of rehabilitation facilities 49
or certified by the department of mental health and addiction 50
services. 51

(B) The benefits mandated by division (A) of this section 52
shall be subject to reasonable contract limitations and may be 53
subject to reasonable deductibles and co-insurance costs. 54
Persons entitled to such benefit under more than one service or 55
insurance contract may be limited to a single five hundred fifty 56
dollar benefit for services under all contracts. 57

(C) For an eligible person, who receives treatment for 58
alcoholism from an approved or certified alcoholism treatment 59
facility, to remain entitled to the benefits mandated by 60
division (A) of this section, a health care professional 61
identified in division (A) (2) of this section shall every three 62
months certify that such person needs to continue utilizing such 63
treatment. 64

(D) In order to qualify for participation under division 65
(A) of this section, every facility specified in such division 66
shall have in effect a plan for utilization review and a plan 67
for peer review and every person specified in such division 68
shall have in effect a plan for peer review. Such plans shall 69
have the purpose of ensuring high quality patient care and 70
effective and efficient utilization of available health 71
facilities and services. Such person or facility shall also have 72
in effect a program of rehabilitation or a program of 73
rehabilitation and detoxification. 74

(E) Nothing in this section shall be construed to require 75
an insurer to pay benefits which are greater than usual, 76
customary, and reasonable. 77

Sec. 4758.01. As used in this chapter:	78
(A) "Accredited educational institution" means an educational institution accredited by an accrediting agency accepted by the Ohio board of regents <u>department of higher education</u> .	79 80 81 82
(B) (1) "Alcohol and other drug clinical counseling principles, methods, or procedures" means an approach to chemical dependency <u>substance use disorder</u> counseling that emphasizes the chemical dependency counselor's role in systematically assisting clients through all of the following:	83 84 85 86 87
(a) Analyzing background and current information;	88
(b) Exploring possible solutions;	89
(c) Developing and providing a treatment plan;	90
(d) In the case of an independent chemical dependency counselor-clinical supervisor, independent chemical dependency counselor, or chemical dependency counselor III only, diagnosing chemical dependency conditions <u>substance use disorders</u> .	91 92 93 94
(2) "Alcohol and other drug clinical counseling principles, methods, or procedures" includes counseling, assessing, consulting, and referral as they relate to chemical dependency conditions <u>substance use disorders</u> .	95 96 97 98
(C) " Chemical dependency conditions <u>Substance use disorders</u> " means those conditions relating to the abuse of or dependency on alcohol or other drugs that are classified in accepted nosologies, including the diagnostic and statistical manual of mental disorders and the international classification of diseases, and in editions of those nosologies published after December 23, 2002.	99 100 101 102 103 104 105

(D) " Chemical dependency <u>Substance use disorder</u>	106
counseling" means rendering or offering to render to	107
individuals, groups, or the public a counseling service	108
involving the application of alcohol and other drug clinical	109
counseling principles, methods, or procedures to assist	110
individuals who are abusing or dependent on alcohol or other	111
drugs.	112
(E) "Gambling disorder" means a persistent and recurring	113
maladaptive gambling behavior that is classified in accepted	114
nosologies, including the diagnostic and statistical manual of	115
mental disorders and the international classification of	116
diseases, and in editions of those nosologies published after	117
September 15, 2014.	118
(F) "Prevention services" means a comprehensive, multi-	119
system set of individual and environmental approaches that	120
maximizes physical health, promotes safety, and precludes the	121
onset of behavioral health disorders.	122
(G) Unless the context provides otherwise, "scope of	123
practice" means the services, methods, and techniques in which	124
and the areas for which a person who holds a license,	125
certificate, or endorsement under this chapter is trained and	126
qualified.	127
(H) "Substance abuse professional" has the same meaning as	128
in 49 C.F.R. 40.3.	129
(I) "U.S. department of transportation drug and alcohol	130
testing program" means a transportation workplace drug and	131
alcohol testing program governed by 49 C.F.R. part 40.	132
Sec. 4758.02. (A) Except as provided in section 4758.03 of	133
the Revised Code, no person shall do any of the following:	134

(1) <u>(A)</u> Engage in or represent to the public that the	135
person engages in chemical dependency <u>substance use disorder</u>	136
counseling for a fee, salary, or other consideration unless the	137
person holds a valid independent chemical dependency counselor-	138
clinical supervisor license, independent chemical dependency	139
counselor license, chemical dependency counselor III license,	140
chemical dependency counselor II license, or chemical dependency	141
counselor assistant certificate issued under this chapter;	142
(2) <u>(B)</u> Use the title "licensed independent chemical	143
dependency counselor-clinical supervisor," "LICDC-CS," "licensed	144
independent chemical dependency counselor," "LICDC," "licensed	145
chemical dependency counselor III," "LCDC III," "licensed	146
chemical dependency counselor II," "LCDC II," "chemical	147
dependency counselor assistant," "CDCA," or any other title or	148
description incorporating the word "chemical dependency	149
counselor" or any other initials used to identify persons acting	150
in those capacities unless currently authorized under this	151
chapter to act in the capacity indicated by the title or	152
initials;	153
(3) <u>(C)</u> Represent to the public that the person holds a	154
gambling disorder endorsement unless the person holds a valid	155
gambling disorder endorsement issued under this chapter;	156
(4) <u>(D)</u> Represent to the public that the person is a	157
registered applicant unless the person holds a valid registered	158
applicant certificate issued under this chapter;	159
(5) <u>(E)</u> Use the title "certified prevention consultant,"	160
"CPC," "certified prevention specialist," "CPS," "certified	161
prevention specialist assistant," "CPSA," "registered	162
applicant," "RA," or any other title, description, or initials	163
used to identify persons acting in those capacities unless	164

currently authorized under this chapter to act in the capacity 165
indicated by the title or initials. 166

~~(B) No person shall engage in or represent to the public 167
that the person engages in chemical dependency counseling as a 168
chemical dependency counselor I. 169~~

Sec. 4758.03. ~~Division (A) of section~~ Section 4758.02 of 170
the Revised Code does not apply to any of the following: 171

(A) An individual who holds a valid license, registration, 172
certificate, or credentials issued under another chapter of the 173
Revised Code while performing services within the recognized 174
scope, standards, and ethics of the individual's profession; 175

(B) An individual who is a rabbi, priest, Christian 176
Science practitioner, clergy, or member of a religious order and 177
other individuals participating with them in pastoral counseling 178
when the ~~chemical dependency substance use disorder~~ counseling 179
activities are within the scope of the performance of their 180
regular or specialized ministerial duties and are performed 181
under the auspices or sponsorship of an established and legally 182
cognizable church, denomination, or sect or an integrated 183
auxiliary of a church as defined in paragraph (h) of 26 Code of 184
Federal Regulations 1.6033-2 (2000) as amended, and the 185
individual rendering the service remains accountable to the 186
established authority of that church, denomination, sect, or 187
integrated auxiliary; 188

(C) A student in an accredited educational institution 189
while carrying out activities that are part of the student's 190
prescribed course of study if the activities are supervised as 191
required by the educational institution and the student is not 192
represented as an individual who holds a license or certificate 193

issued under this chapter.	194
Sec. 4758.10. (A) There is hereby created the chemical dependency professionals board.	195 196
(B) The governor shall appoint all of the following voting members of the board with the advice and consent of the senate:	197 198
(1) Four individuals who hold a valid independent chemical dependency counselor-clinical supervisor license or independent chemical dependency counselor license issued under this chapter, including at least two of whom have received at least a master's degree in a field related to chemical dependency substance use <u>disorder</u> counseling from an accredited educational institution;	199 200 201 202 203 204
(2) Two individuals <u>One individual</u> who hold <u>holds</u> a valid chemical dependency counselor III license issued under this chapter;	205 206 207
(3) One individual who holds a valid chemical dependency counselor II license issued under this chapter;	208 209
(4) <u>One individual who holds a valid chemical dependency counselor assistant certificate issued under this chapter;</u>	210 211
<u>(5)</u> Two individuals who hold a valid prevention consultant certificate or prevention specialist certificate issued under this chapter;	212 213 214
(5)-(6) <u>(6)</u> One individual who is authorized under Chapter 4731. of the Revised Code to practice medicine and surgery or osteopathic medicine and surgery and has experience practicing <u>treating</u> in a field related to chemical dependency counseling <u>substance use disorders;</u>	215 216 217 218 219
(6)-(7) <u>(7)</u> Two individuals who represent the public and have not practiced chemical dependency substance use disorder	220 221

counseling or prevention services and have not been involved in 222
the delivery of ~~chemical dependency~~ substance use disorder 223
counseling services or prevention services. At least one of 224
these individuals shall be at least fifty years of age. During 225
their terms, the public members shall not practice ~~chemical~~ 226
~~dependency~~ substance use disorder counseling or prevention 227
services or be involved in the delivery of ~~chemical dependency~~ 228
substance use disorder counseling services or prevention 229
services. 230

(C) Not later than ninety days after December 23, 2002, 231
the director of mental health and addiction services shall 232
appoint an individual who represents the department of mental 233
health and addiction services to serve as an ex officio member 234
of the chemical dependency professionals board. 235

(D) Not more than one-half of the voting members of the 236
board may be of the same gender or members of the same political 237
party. At least two voting members of the board shall be of 238
African, Native American, Hispanic, or Asian descent. 239

Sec. 4758.13. The chemical dependency professionals board 240
shall meet to discuss matters relating to the administration and 241
operation of the board and the regulation of the practices of 242
~~chemical dependency~~ substance use disorder counseling and 243
prevention services. The board shall hold at least one regular 244
meeting every three months. Additional meetings may be held at 245
such times as the board determines, on the call of the 246
chairperson, or on the written request to the executive director 247
of three or more voting board members. If three or more voting 248
members request a meeting, the executive director shall call a 249
meeting, which shall be held not later than seven days after the 250
request is received. 251

~~Seven~~Six voting members of the board constitute a quorum 252
to conduct business. Except as provided in section 4758.32 of 253
the Revised Code, no action shall be taken without the 254
concurrence of at least a quorum. 255

At its first meeting each year, the board shall elect a 256
chairperson from among its voting members. No member shall serve 257
more than two consecutive terms as chairperson. 258

The board shall keep any records and minutes necessary to 259
fulfill the duties established by this chapter and rules adopted 260
under it. 261

Sec. 4758.16. The chemical dependency professionals board 262
shall not discriminate against any licensee, certificate holder, 263
endorsement holder, or applicant for a license, certificate, or 264
endorsement under this chapter because of the individual's race, 265
color, religion, sex, sexual orientation, gender, gender 266
identity, national origin, ancestry, disability as defined in 267
section 4112.01 of the Revised Code, or age. The board shall 268
afford a hearing to any individual who files with the board a 269
statement alleging discrimination based on any of those reasons. 270

Sec. 4758.20. (A) The chemical dependency professionals 271
board shall adopt rules to establish, specify, or provide for 272
all of the following: 273

(1) Fees for the purposes authorized by section 4758.21 of 274
the Revised Code; 275

(2) If the board, pursuant to section 4758.221 of the 276
Revised Code, elects to administer examinations for individuals 277
seeking to act as substance abuse professionals in a U.S. 278
department of transportation drug and alcohol testing program, 279
the board's administration of the examinations; 280

(3) For the purpose of section 4758.23 of the Revised Code, codes of ethical practice and professional conduct for individuals who hold a license, certificate, or endorsement issued under this chapter;	281 282 283 284
(4) For the purpose of section 4758.24 of the Revised Code, all of the following:	285 286
(a) The documents that an individual seeking such a license, certificate, or endorsement must submit to the board;	287 288
(b) 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.	289 290 291 292 293
(c) The period of time that an individual whose registered applicant certificate has expired must wait before applying for a new registered applicant certificate.	294 295 296
(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;	297 298 299 300
(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;	301 302 303 304 305 306
(7) Requirements governing reinstatement of a suspended or revoked license, certificate, or endorsement under division (C) of section 4758.30 of the Revised Code, including requirements	307 308 309

for determining the amount of time an individual must wait to 310
apply for reinstatement; 311

(8) A graduated system of fines, based on the scope and 312
severity of the violation and history of compliance or 313
noncompliance, not to exceed five hundred dollars per incident, 314
that may be imposed for a disciplinary violation described in 315
section 4758.30 of the Revised Code; 316

(9) For the purpose of section 4758.31 of the Revised 317
Code, methods of ensuring that all records the board holds 318
pertaining to an investigation remain confidential during the 319
investigation; 320

~~(9)-(10)~~ Criteria for employees of the board to follow 321
when performing their duties under division (B) of section 322
4758.35 of the Revised Code; 323

~~(10)-(11)~~ For the purpose of division (A) (1) of section 324
4758.39 and division (A) (1) of section 4758.40 of the Revised 325
Code, course requirements for a degree in a behavioral science 326
or nursing that shall, at a minimum, include at least forty 327
semester hours in all of the following courses: 328

~~(a) Theories of counseling and psychotherapy; 329~~

~~(b) Counseling procedures; 330~~

~~(c) Group process and techniques; 331~~

~~(d) Relationship therapy; 332~~

~~(e) Research methods and statistics; 333~~

~~(f) Fundamentals of assessment and diagnosis, including 334~~
~~measurement and appraisal; 335~~

~~(g) Psychopathology; 336~~

(h) Human development;	337
(i) Cultural competence in counseling;	338
(j) Ethics that may include specific content areas and <u>minimum hours for course requirements;</u>	339 340
(11) <u>(12)</u> For the purpose of division (A) (2) of section 4758.39 of the Revised Code, the number of hours of compensated work or supervised internship experience that an individual must have and the number of those hours that must be in clinical supervisory experience;	341 342 343 344 345
(12) <u>(13)</u> For the purpose of division (A) (3) of section 4758.39, division (A) (3) of section 4758.40, division (A) (3) of section 4758.41, and divisions (A) (3) and (D) (3) of section 4758.42 of the Revised Code, both of the following:	346 347 348 349
(a) The number of hours of training in chemical dependency <u>substance use disorders</u> an individual must have;	350 351
(b) Training requirements for chemical dependency <u>substance use disorders</u> that shall, at a minimum, include qualifications for the individuals who provide the training and the content areas covered in the training.	352 353 354 355
(13) <u>(14)</u> For the purpose of division (A) (2) of section 4758.40, division (A) (2) of section 4758.41, and division (A) (2) of section 4758.42 of the Revised Code, the number of hours of compensated work or supervised internship experience that an individual must have;	356 357 358 359 360
(14) <u>(15)</u> For the purpose of division (B) (2) (b) of section 4758.40 and division (B) (2) of section 4758.41 of the Revised Code, requirements for the forty clock hours of training on the version of the diagnostic and statistical manual of mental	361 362 363 364

disorders that is current at the time of the training, including 365
the number of the clock hours that must be on substance-related 366
disorders, the number of the clock hours that must be on 367
~~chemical dependency conditions~~substance use disorders, and the 368
number of the clock hours that must be on awareness of other 369
mental and emotional disorders; 370

~~(15)~~(16) For the purpose of division (A) (1) of section 371
4758.41 of the Revised Code, course requirements for a degree in 372
a behavioral science or nursing; 373

~~(16)~~(17) For the purpose of division (C) (2) of section 374
4758.42 of the Revised Code, education requirements for ~~chemical-~~ 375
~~dependency~~substance use disorders; 376

~~(17)~~(18) For the purpose of division (C) (3) of section 377
4758.42 of the Revised Code, requirements for programs that 378
provide practicum experience in ~~chemical dependency~~substance use 379
disorders; 380

~~(18)~~(19) For the purpose of division (A) of section 381
4758.43 of the Revised Code, both of the following: 382

(a) The number of hours of training in ~~chemical dependency-~~ 383
substance use disorder counseling that an individual must have; 384

(b) Training requirements for ~~chemical dependency-~~ 385
substance use disorder counseling that shall, at a minimum, 386
include qualifications for the individuals who provide the 387
training and the content areas covered in the training. 388

~~(19)~~(20) For the purpose of division (A) (1) of section 389
4758.44 of the Revised Code, the number of hours of compensated 390
work experience in prevention services that an individual must 391
have and the number of those hours that must be in administering 392
or supervising the services; 393

(20) <u>(21)</u> For the purpose of division (A) (2) of section 4758.44 of the Revised Code, the field of study in which an individual must obtain at least a bachelor's degree;	394 395 396
(21) <u>(22)</u> For the purpose of division (A) (3) of section 4758.44, division (A) (3) of section 4758.45, and division (D) of section 4758.46 of the Revised Code, both of the following:	397 398 399
(a) The number of hours of prevention-related education that an individual must have;	400 401
(b) Requirements for prevention-related education.	402
(22) <u>(23)</u> For the purpose of division (A) (4) of section 4758.44 of the Revised Code, the number of hours of administrative or supervisory education that an individual must have;	403 404 405 406
(23) <u>(24)</u> For the purpose of division (A) (1) of section 4758.45 of the Revised Code, the number of hours of compensated or volunteer work, field placement, intern, or practicum experience in prevention services that an individual must have and the number of those hours that must be in planning or delivering the services;	407 408 409 410 411 412
(24) <u>(25)</u> For the purpose of division (A) (2) of section 4758.45 of the Revised Code, the field of study in which an individual must obtain at least an associate's degree;	413 414 415
(25) <u>(26)</u> For the purpose of division (C) of section 4758.46 of the Revised Code, the number of hours of compensated or volunteer work, field placement, intern, or practicum experience in prevention services that an individual must have;	416 417 418 419
(26) <u>(27)</u> Standards for the one hundred hours of compensated work or supervised internship in gambling disorder	420 421

direct clinical experience required by division (B) (2) of 422
section 4758.48 of the Revised Code; 423

~~(27)~~ (28) For the purpose of section 4758.51 of the 424
Revised Code, continuing education requirements for individuals 425
who hold a license, certificate, or endorsement issued under 426
this chapter; 427

~~(28)~~ (29) For the purpose of section 4758.51 of the 428
Revised Code, the number of hours of continuing education that 429
an individual must complete to have an expired license, 430
certificate, or endorsement restored under section 4758.26 of 431
the Revised Code; 432

~~(29)~~ (30) For the purpose of ~~divisions (A) and (B) of~~ 433
section 4758.52 of the Revised Code, training requirements for 434
~~chemical dependency substance use disorder~~ counseling; 435

~~(30)~~ (31) The duties, which may differ, of all of the 436
following: 437

(a) An independent chemical dependency counselor-clinical 438
supervisor licensed under this chapter who supervises a chemical 439
dependency counselor III under section 4758.56 of the Revised 440
Code; 441

(b) An independent chemical dependency counselor-clinical 442
supervisor, independent chemical dependency counselor, or 443
chemical dependency counselor III licensed under this chapter 444
who supervises a chemical dependency counselor assistant under 445
section 4758.59 of the Revised Code; 446

(c) A prevention consultant or prevention specialist 447
certified under this chapter who supervises a prevention 448
specialist assistant or registered applicant under section 449
4758.61 of the Revised Code. 450

~~(31)~~ (32) The duties of an independent chemical dependency counselor licensed under this chapter who holds the gambling disorder endorsement who supervises a chemical dependency counselor III with the gambling disorder endorsement under section 4758.62 of the Revised Code. 451
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~~(32)~~ (33) A process whereby the board may issue its endorsement of degree training programs and prevention credentialing programs offered by accredited educational institutions, including fees for issuance of the endorsement; 456
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(34) Anything else necessary to administer this chapter. 460

(B) All rules adopted under this section shall be adopted in accordance with Chapter 119. of the Revised Code and any applicable federal laws and regulations. 461
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(C) When it adopts rules under this section, the board may consider standards established by any national association or other organization representing the interests of those involved in ~~chemical dependency substance use disorder~~ counseling or prevention services. 464
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Sec. 4758.201. Rules that are adopted as required by divisions (A) (8), (11), and (33) of section 4758.20 of the Revised Code are not subject to division (F) of section 121.95 of the Revised Code. 469
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It is the intent of the general assembly, in amending section 4758.20 of the Revised Code as it pertains to course requirements for a degree in a behavioral science or nursing for the purpose of division (A) (1) of section 4758.39 and division (A) (1) of section 4758.40 of the Revised Code, to authorize the chemical dependency professionals board to update current standards through rules while still maintaining content areas 473
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and hour requirements that are substantially similar to those 480
identified in section 4758.20 of the Revised Code, as it existed 481
prior to the effective date of this section. 482

Sec. 4758.21. (A) In accordance with rules adopted under 483
section 4758.20 of the Revised Code and subject to division (B) 484
of this section, the chemical dependency professionals board 485
shall establish, and may from time to time adjust, fees to be 486
charged for the following: 487

(1) Admitting an individual to an examination administered 488
pursuant to section 4758.22 of the Revised Code; 489

(2) Issuing an initial independent chemical dependency 490
counselor-clinical supervisor license, independent chemical 491
dependency counselor license, chemical dependency counselor III 492
license, chemical dependency counselor II license, chemical 493
dependency counselor assistant certificate, prevention 494
consultant certificate, prevention specialist certificate, 495
prevention specialist assistant certificate, or registered 496
applicant certificate; 497

(3) Issuing an initial gambling disorder endorsement; 498

(4) Renewing an independent chemical dependency counselor- 499
clinical supervisor license, independent chemical dependency 500
counselor license, chemical dependency counselor III license, 501
chemical dependency counselor II license, chemical dependency 502
counselor assistant certificate, prevention consultant 503
certificate, prevention specialist certificate, or prevention 504
specialist assistant certificate; 505

(5) Renewing a gambling disorder endorsement; 506

(6) Approving continuing education courses under section 507
4758.28 of the Revised Code; 508

(7) Issuing endorsements of degree training programs and prevention credentialing programs offered by accredited educational institutions; 509
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(8) Doing anything else the board determines necessary to administer this chapter. 512
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(B) The fees established under division (A) of this section are nonrefundable. They shall be in amounts sufficient to cover the necessary expenses of the board in administering this chapter and rules adopted under it. The fees for a license, certificate, or endorsement and the renewal of a license, certificate, or endorsement may differ for the various types of licenses, certificates, or endorsements, but shall not exceed one hundred seventy-five dollars each, unless the board determines that amounts in excess of one hundred seventy-five dollars are needed to cover its necessary expenses in administering this chapter and rules adopted under it and the amounts in excess of one hundred seventy-five dollars are approved by the controlling board. 514
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(C) All vouchers of the board shall be approved by the chairperson or executive director of the board, or both, as authorized by the board. 527
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Sec. 4758.22. The chemical dependency professionals board shall prepare, cause to be prepared, or procure the use of, and grade, cause to be graded, or procure the grading of, examinations to determine the competence of individuals seeking an independent chemical dependency counselor-clinical supervisor license, independent chemical dependency counselor license, chemical dependency counselor III license, chemical dependency counselor II license, prevention consultant certificate, or prevention specialist certificate. The board may develop the 530
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examinations or use examinations prepared by state or national 539
organizations that represent the interests of those involved in 540
~~chemical dependency~~ substance use disorder counseling or 541
prevention services. The board shall conduct examinations at 542
least twice each year and shall determine the level of 543
competence necessary for a passing score. 544

An individual may not sit for an examination administered 545
pursuant to this section unless the individual meets the 546
requirements to obtain the license or certificate the individual 547
seeks, other than the requirement to have passed the 548
examination, and pays the fee established under section 4758.21 549
of the Revised Code. An individual who is denied admission to 550
the examination may appeal the denial in accordance with Chapter 551
119. of the Revised Code. 552

Sec. 4758.221. In accordance with rules adopted under 553
section 4758.20 of the Revised Code, the chemical dependency 554
professionals board may administer examinations for individuals 555
seeking to act as substance abuse professionals in a U.S. 556
department of transportation drug and alcohol testing program. 557
If it elects to administer the examinations, the board shall use 558
examinations that comprehensively cover all the elements of 559
substance abuse professional qualification training listed in 49 560
C.F.R. 40.281(c) (1) and are prepared by a nationally recognized 561
professional or training organization that represents the 562
interests of those involved in ~~chemical dependency~~ substance use 563
disorder counseling services. 564

Sec. 4758.23. (A) In rules adopted under section 4758.20 565
of the Revised Code, the chemical dependency professionals board 566
shall establish codes of ethical practice and professional 567
conduct for the following: 568

(1) Individuals who hold a valid independent chemical dependency counselor-clinical supervisor license, independent chemical dependency counselor license, chemical dependency counselor III license, chemical dependency counselor II license, or chemical dependency counselor assistant certificate issued under this chapter;

(2) Individuals who hold a valid prevention consultant certificate, prevention specialist certificate, prevention specialist assistant certificate, or registered applicant certificate issued under this chapter;

(3) Individuals who hold a valid gambling disorder endorsement.

(B) The codes for individuals identified under division (A) (1) of this section shall define unprofessional conduct, which shall include engaging in a dual relationship with a client, former client, consumer, or former consumer; committing an act of sexual abuse, misconduct, or exploitation of a client, former client, consumer, or former consumer; and, except as permitted by law, violating client or consumer confidentiality.

(C) The codes for individuals identified under division (A) (1) of this section may be based on any codes of ethical practice and professional conduct developed by national associations or other organizations representing the interests of those involved in ~~chemical dependency~~ substance use disorder counseling. The codes for individuals identified under division (A) (2) of this section may be based on any codes of ethical practice and professional conduct developed by national associations or other organizations representing the interests of those involved in prevention services. The board may establish standards in the codes that are more stringent than

those established by the national associations or other 599
organizations. 600

Sec. 4758.26. (A) Subject to section 4758.30 of the 601
Revised Code, a license, certificate, or endorsement issued 602
under this chapter expires the following period of time after it 603
is issued: 604

(1) In the case of an initial chemical dependency 605
counselor assistant certificate, thirteen months; 606

(2) In the case of any other license, certificate, or 607
endorsement, two years. 608

(B) Subject to section 4758.30 of the Revised Code and 609
except as provided in section 4758.27 of the Revised Code, the 610
chemical dependency professionals board shall renew a license, 611
certificate, or endorsement issued under this chapter in 612
accordance with the standard renewal procedure established under 613
Chapter 4745. of the Revised Code if the individual seeking the 614
renewal pays the renewal fee established under section 4758.21 615
of the Revised Code and does the following: 616

(1) In the case of an individual ~~seeking renewal of an~~ 617
whose initial chemical dependency counselor assistant 618
certificate has expired, within one year of the expiration of 619
the initial certificate, satisfies the additional training 620
requirement established under section 4758.52 of the Revised 621
Code and applies for issuance of a renewable chemical dependency 622
counselor assistant certificate; 623

(2) In the case of any other individual, satisfies the 624
continuing education requirements established under section 625
4758.51 of the Revised Code. 626

(C) Subject to section 4758.30 of the Revised Code and 627

except as provided in section 4758.27 of the Revised Code, a 628
license, certificate, or endorsement issued under this chapter 629
that has expired may be restored if the individual seeking the 630
restoration, not later than two years after the license, 631
certificate, or endorsement expires, applies for restoration of 632
the license, certificate, or endorsement. The board shall issue 633
a restored license, certificate, or endorsement to the 634
individual if the individual pays the renewal fee established 635
under section 4758.21 of the Revised Code and ~~does the~~ 636
~~following:~~ 637

~~(1) In the case of an individual whose initial chemical 638
dependency counselor assistant certificate expired, satisfies 639
the additional training requirement established under section 640
4758.52 of the Revised Code;~~ 641

~~(2) In the case of any other individual,~~ satisfies the 642
continuing education requirements established under section 643
4758.51 of the Revised Code for restoring the license, 644
certificate, or endorsement. 645

The board shall not require an individual to take an 646
examination as a condition of having an expired license, 647
certificate, or endorsement restored under this section. 648

Sec. 4758.27. The chemical dependency professionals board 649
shall not renew or restore under section 4758.26 of the Revised 650
Code either of the following: 651

(A) A certificate to practice as a chemical dependency 652
counselor I; 653

(B) A registered applicant certificate; 654

(C) An initial chemical dependency counselor assistant 655
certificate. 656

Sec. 4758.30. (A) The chemical dependency professionals 657
board, in accordance with Chapter 119. of the Revised Code, may, 658
except as provided in division (B) of this section, do any of 659
the following: refuse to issue a license, certificate, or 660
endorsement applied for under this chapter; refuse to renew or 661
restore a license, certificate, or endorsement issued under this 662
chapter; suspend, revoke, or otherwise restrict a license, 663
certificate, or endorsement issued under this chapter; ~~or~~ and 664
reprimand or impose fines or costs against an individual holding 665
a license, certificate, or endorsement issued under this 666
chapter. These actions may be taken by the board regarding the 667
applicant for a license, certificate, or endorsement or the 668
individual holding a license, certificate, or endorsement for 669
one or more of the following reasons: 670

(1) Violation of any provision of this chapter or rules 671
adopted under it; 672

(2) Knowingly making a false statement on an application 673
for a license, certificate, or endorsement or for renewal, 674
restoration, or reinstatement of a license, certificate, or 675
endorsement; 676

(3) Acceptance of a commission or rebate for referring an 677
individual to a person who holds a license or certificate issued 678
by, or who is registered with, an entity of state government, 679
including persons practicing ~~chemical dependency substance use~~ 680
disorder counseling, prevention services, gambling disorder 681
counseling, or fields related to ~~chemical dependency substance~~ 682
use disorder counseling, prevention services, or gambling 683
disorder counseling; 684

(4) Conviction in this or any other state of any crime 685
that is a felony in this state; 686

(5) Conviction in this or any other state of a misdemeanor committed in the course of practice as an independent chemical dependency counselor-clinical supervisor, independent chemical dependency counselor, chemical dependency counselor III, chemical dependency counselor II, chemical dependency counselor assistant, prevention consultant, gambling disorder endorsee, prevention specialist, prevention specialist assistant, or registered applicant;	687 688 689 690 691 692 693 694
(6) Inability to practice as an independent chemical dependency counselor-clinical supervisor, independent chemical dependency counselor, chemical dependency counselor III, chemical dependency counselor II, chemical dependency counselor assistant, gambling disorder endorsee, prevention consultant, prevention specialist, prevention specialist assistant, or registered applicant due to abuse of or dependency on alcohol or other drugs or other physical or mental condition;	695 696 697 698 699 700 701 702
(7) Practicing outside the individual's scope of practice;	703
(8) Practicing without complying with the supervision requirements specified under section 4758.56, 4758.59, 4758.61, or 4758.62 of the Revised Code;	704 705 706
(9) Violation of the code of ethical practice and professional conduct for chemical dependency <u>substance use disorder</u> counseling, prevention services, or gambling disorder counseling adopted by the board pursuant to section 4758.23 of the Revised Code;	707 708 709 710 711
(10) Revocation of a license, certificate, or endorsement or voluntary surrender of a license, certificate, or endorsement in another state or jurisdiction for an offense that would be a violation of this chapter.	712 713 714 715

(B) The board shall not refuse to issue a license, 716
certificate, or endorsement to an applicant because of a 717
criminal conviction unless the refusal is in accordance with 718
section 9.79 of the Revised Code. 719

(C) An individual whose license, certificate, or 720
endorsement has been suspended or revoked under this section may 721
apply to the board for reinstatement after an amount of time the 722
board shall determine in accordance with rules adopted under 723
section 4758.20 of the Revised Code. The board may accept or 724
refuse an application for reinstatement. The board may require 725
an examination for reinstatement of a license, certificate, or 726
endorsement that has been suspended or revoked. 727

Sec. 4758.31. The chemical dependency professionals board 728
shall investigate alleged violations of this chapter or the 729
rules adopted under it and alleged irregularities in the 730
delivery of ~~chemical dependency~~ substance use disorder 731
counseling services, prevention services, or gambling disorder 732
counseling services by individuals who hold a license, 733
certificate, or endorsement issued under this chapter. As part 734
of an investigation, the board may issue subpoenas, examine 735
witnesses, and administer oaths. 736

The board may receive any information necessary to conduct 737
an investigation under this section that has been obtained in 738
accordance with federal laws and regulations. If the board is 739
investigating the provision of ~~chemical dependency~~ substance use 740
disorder counseling services or gambling disorder counseling 741
services to a couple or group, it is not necessary for both 742
members of the couple or all members of the group to consent to 743
the release of information relevant to the investigation. 744

The board shall ensure, in accordance with rules adopted 745

under section 4758.20 of the Revised Code, that all records it 746
holds pertaining to an investigation remain confidential during 747
the investigation. After the investigation, the records are 748
public records except as otherwise provided by federal or state 749
law. 750

Sec. 4758.36. As part of the review process under division 751
(C) of section 4758.35 of the Revised Code of an application 752
submitted by an applicant whose education or experience in 753
~~chemical dependency-substance use disorder~~ counseling, 754
prevention services, or gambling disorder counseling was 755
obtained outside the United States, or whose education and 756
experience both were obtained outside the United States, the 757
chemical dependency professionals board shall determine whether 758
the applicant's command of the English language and education or 759
experience meet the standards required by this chapter and rules 760
adopted under it. 761

Sec. 4758.39. An individual seeking an independent 762
chemical dependency counselor-clinical supervisor license shall 763
meet the requirements of division (A) or (B) of this section. 764

(A) To meet the requirements of this division, an 765
individual must meet all of the following requirements: 766

(1) Hold from an accredited educational institution ~~at-~~ 767
~~least~~ a master's degree or higher in either a behavioral science 768
or nursing that meets the course requirements specified in rules 769
adopted under section 4758.20 of the Revised Code; 770

(2) Have not less than the number of hours specified in 771
rules adopted under section 4758.20 of the Revised Code of 772
compensated work or supervised internship experience, including 773
at least the number of hours specified in those rules of 774

clinical supervisory experience, in any of the following, not 775
less than twenty per cent of which are in ~~chemical dependency~~ 776
substance use disorder counseling: 777

(a) ~~Chemical dependency~~ Substance use disorder services, 778
substance abuse services, or both types of services; 779

(b) The practice of psychology, as defined in section 780
4732.01 of the Revised Code; 781

(c) The practice of professional counseling, the practice 782
of social work, or the practice of marriage and family therapy, 783
all as defined in section 4757.01 of the Revised Code. 784

(3) Have a minimum of the number of hours specified in 785
rules adopted under section 4758.20 of the Revised Code of 786
training in ~~chemical dependency~~ substance use disorders that 787
meets the requirements specified in those rules; 788

(4) Unless the individual holds a valid license, 789
registration, certificate, or credentials issued under another 790
chapter of the Revised Code that authorizes the individual to 791
engage in a profession whose scope of practice includes the 792
clinical supervision of ~~chemical dependency~~ substance use 793
disorder counseling, ~~chemical dependency~~ substance use disorder 794
counseling, and diagnosing and treating ~~chemical dependency~~ 795
~~conditions~~ substance use disorders, pass one or more examinations 796
administered pursuant to section 4758.22 of the Revised Code for 797
the purpose of determining competence to practice as an 798
independent chemical dependency counselor-clinical supervisor. 799

(B) To meet the requirement of this division, an 800
individual must hold, on March 22, 2013, a valid independent 801
chemical dependency counselor license. 802

Sec. 4758.40. An individual seeking an independent 803

chemical dependency counselor license shall meet the 804
requirements of division (A) or (B) of this section. 805

(A) To meet the requirements of this division, an 806
individual must meet all of the following requirements: 807

(1) Hold from an accredited educational institution ~~at-~~ 808
~~least~~ a master's degree or higher in a behavioral science or 809
nursing that meets the course requirements specified in rules 810
adopted under section 4758.20 of the Revised Code; 811

(2) Have not less than the number of hours specified in 812
rules adopted under section 4758.20 of the Revised Code of 813
compensated work or supervised internship experience in any of 814
the following, not less than twenty per cent of which are in 815
~~chemical dependency~~ substance use disorder counseling: 816

(a) ~~Chemical dependency~~ Substance use disorder services, 817
substance abuse services, or both types of services; 818

(b) The practice of psychology, as defined in section 819
4732.01 of the Revised Code; 820

(c) The practice of professional counseling, the practice 821
of social work, or the practice of marriage and family therapy, 822
all as defined in section 4757.01 of the Revised Code. 823

(3) Have a minimum of the number of hours specified in 824
rules adopted under section 4758.20 of the Revised Code of 825
training in ~~chemical dependency~~ substance use disorders that 826
meets the requirements specified in those rules; 827

(4) Unless the individual holds a valid license, 828
registration, certificate, or credentials issued under another 829
chapter of the Revised Code that authorizes the individual to 830
engage in a profession whose scope of practice includes ~~chemical-~~ 831

~~dependency substance use disorder~~ counseling and diagnosing and 832
treating ~~chemical dependency conditions~~substance use disorders, 833
pass one or more examinations administered pursuant to section 834
4758.22 of the Revised Code for the purpose of determining 835
competence to practice as an independent chemical dependency 836
counselor. 837

(B) To meet the requirements of this division, an 838
individual must meet both of the following requirements: 839

(1) Hold, on December 23, 2002, a certificate or 840
credentials that were accepted under former section 3793.07 of 841
the Revised Code as authority to practice as a certified 842
chemical dependency counselor III or certified chemical 843
dependency counselor III-E; 844

(2) Meet one of the following requirements: 845

(a) Hold the degree described in division (A) (1) of this 846
section; 847

(b) Have held a chemical dependency counselor III, II, or 848
I certificate for at least eight consecutive years and have not 849
less than forty clock hours of training on the version of the 850
diagnostic and statistical manual of mental disorders that is 851
current at the time of the training. The training must meet the 852
requirements specified in rules adopted under section 4758.20 of 853
the Revised Code. An individual authorized under Chapter 4731. 854
of the Revised Code to practice medicine and surgery or 855
osteopathic medicine and surgery, a psychologist licensed under 856
Chapter 4732. of the Revised Code, or a licensed professional 857
clinical counselor or independent social worker licensed under 858
Chapter 4757. of the Revised Code may provide any portion of the 859
training. An independent chemical dependency counselor licensed 860

under this chapter who holds the degree described in division 861
(A) (1) of this section may provide the portion of the training 862
on ~~chemical dependency conditions~~ substance use disorders. 863

Sec. 4758.41. An individual seeking a chemical dependency 864
counselor III license shall meet the requirements of division 865
(A), (B), or (C) of this section. 866

(A) To meet the requirements of this division, an 867
individual must meet all of the following requirements: 868

(1) Hold from an accredited educational institution ~~at~~ 869
~~least a~~ either of the following: 870

(a) A bachelor's degree or higher in a behavioral science 871
or nursing that meets the course requirements specified in rules 872
adopted under section 4758.20 of the Revised Code; 873

(b) A bachelor's degree or higher in any field, but only 874
if the individual also completes from an accredited educational 875
institution a specific course of study in substance use 876
disorders and a specialized substance use disorder internship or 877
practicum, both of which meet requirements specified in rules 878
adopted under section 4758.20 of the Revised Code. 879

(2) Have not less than the number of hours specified in 880
rules adopted under section 4758.20 of the Revised Code of 881
compensated work or supervised internship experience in any of 882
the following, not less than twenty per cent of which are in 883
~~chemical dependency~~ substance use disorder counseling: 884

(a) ~~Chemical dependency~~ Substance use disorder services, 885
substance abuse services, or both types of services; 886

(b) The practice of psychology, as defined in section 887
4732.01 of the Revised Code; 888

(c) The practice of professional counseling, the practice 889
of social work, or the practice of marriage and family therapy, 890
all as defined in section 4757.01 of the Revised Code. 891

(3) Have a minimum of the number of hours specified in 892
rules adopted under section 4758.20 of the Revised Code of 893
training in ~~chemical dependency~~ substance use disorders that 894
meets the requirements specified in those rules; 895

(4) Unless the individual holds a valid license, 896
registration, certificate, or credentials issued under another 897
chapter of the Revised Code that authorizes the individual to 898
engage in a profession whose scope of practice includes ~~chemical~~ 899
~~dependency~~ substance use disorder counseling and diagnosing and 900
treating ~~chemical dependency conditions~~ substance use disorders, 901
pass one or more examinations administered pursuant to section 902
4758.22 of the Revised Code for the purpose of determining 903
competence to practice as a chemical dependency counselor III. 904

(B) To meet the requirements of this division, an 905
individual must meet both of the following requirements: 906

(1) Hold, on December 23, 2002, a certificate or 907
credentials that were accepted under former section 3793.07 of 908
the Revised Code as authority to practice as a certified 909
chemical dependency counselor III or certified chemical 910
dependency counselor III-E; 911

(2) Have not less than forty clock hours of training on 912
the version of the diagnostic and statistical manual of mental 913
disorders that is current at the time of the training. The 914
training must meet the requirements specified in rules adopted 915
under section 4758.20 of the Revised Code. An individual 916
authorized under Chapter 4731. of the Revised Code to practice 917

medicine and surgery or osteopathic medicine and surgery, a 918
psychologist licensed under Chapter 4732. of the Revised Code, 919
or a licensed professional clinical counselor or independent 920
social worker licensed under Chapter 4757. of the Revised Code 921
may provide any portion of the training. An independent chemical 922
dependency counselor licensed under this chapter who holds the 923
degree described in division (A) (1) of section 4758.40 of the 924
Revised Code may provide the portion of the training on ~~chemical-~~ 925
~~dependency conditions~~substance use disorders. 926

(C) To meet the requirements of this division, an 927
individual must meet all of the following requirements: 928

(1) Hold, on December 23, 2002, a certificate or 929
credentials that were accepted under former section 3793.07 of 930
the Revised Code as authority to practice as a certified 931
chemical dependency counselor II; 932

(2) Meet the requirement of division (B) (2) of this 933
section; 934

(3) Hold a bachelor's degree in a behavioral science. 935

Sec. 4758.42. An individual seeking a chemical dependency 936
counselor II license shall meet the requirements of division 937
(A), (B), or (C) of this section or, until three years after the 938
effective date of this amendment, division (A), (B), (C), or (D) 939
of this section. 940

(A) To meet the requirements of this division, an 941
individual must meet all of the following requirements: 942

(1) Hold from an accredited educational institution an 943
associate's degree in a behavioral science or nursing or a 944
bachelor's degree in any field; 945

- (2) Have not less than the number of hours specified in 946
rules adopted under section 4758.20 of the Revised Code of 947
compensated work or supervised internship experience in any of 948
the following, not less than twenty per cent of which are in 949
~~chemical dependency substance use disorder~~ counseling: 950
- (a) ~~Chemical dependency Substance use disorder~~ services, 951
substance abuse services, or both types of services; 952
- (b) The practice of psychology, as defined in section 953
4732.01 of the Revised Code; 954
- (c) The practice of professional counseling, the practice 955
of social work, or the practice of marriage and family therapy, 956
all as defined in section 4757.01 of the Revised Code. 957
- (3) Have a minimum of the number of hours specified in 958
rules adopted under section 4758.20 of the Revised Code of 959
training in ~~chemical dependency substance use disorders~~ that 960
meets the requirements specified in those rules; 961
- (4) Pass one or more examinations administered pursuant to 962
section 4758.22 of the Revised Code for the purpose of 963
determining competence to practice as a chemical dependency 964
counselor II. 965
- (B) To meet the requirement of this division, an 966
individual must hold, on December 23, 2002, a certificate or 967
credentials that were accepted under former section 3793.07 of 968
the Revised Code as authority to practice as a certified 969
chemical dependency counselor II. 970
- (C) To meet the requirements of this division, an 971
individual must meet all of the following requirements: 972
- (1) Hold from an accredited educational institution an 973

associate's or bachelor's degree in either of the following with	974
a specialization in chemical dependency <u>substance use disorder</u>	975
counseling:	976
(a) A behavioral science;	977
(b) Nursing.	978
(2) Have a minimum of one hundred eighty hours of	979
education in chemical dependency <u>substance use disorders</u> that	980
meets the requirements specified in rules adopted under section	981
4758.20 of the Revised Code;	982
(3) While holding a valid chemical dependency counselor	983
assistant certificate, have successfully completed, over the	984
course of not more than any two semesters, at least two hundred	985
forty hours of supervised practicum experience in chemical	986
dependency <u>substance use disorders</u> through a program that meets	987
all of the following requirements:	988
(a) The program includes at least two hours per week of	989
supervised practicum experience;	990
(b) The program provides intensive outpatient treatment or	991
a higher level of care, or another level of care if specified in	992
rules adopted under section 4758.20 of the Revised Code;	993
(c) The program meets other requirements specified in	994
rules adopted under that section.	995
(4) Have at least one thousand hours of compensated work	996
experience as a chemical dependency counselor assistant;	997
(5) Provide to the chemical dependency professionals board	998
a written recommendation from an individual who supervised the	999
individual's practice of chemical dependency <u>substance use</u>	1000
<u>disorder</u> counseling as a chemical dependency counselor assistant	1001

as required by division (B) of section 4758.59 of the Revised Code; 1002
1003

(6) Pass one or more examinations administered pursuant to 1004
section 4758.22 of the Revised Code for the purpose of 1005
determining competence to practice as a chemical dependency 1006
counselor II. 1007

(D) To meet the requirements of this division, an 1008
individual must meet all of the following requirements: 1009

(1) Since at least December 31, 2008, continuously have 1010
done both of the following: 1011

(a) Held a valid chemical dependency counselor assistant 1012
certificate; 1013

(b) Practiced ~~chemical dependency~~ substance use disorder 1014
counseling while under supervision as required by division (B) 1015
of section 4758.59 of the Revised Code. 1016

(2) Provide to the board a written recommendation from an 1017
individual who supervised the individual's practice of ~~chemical-~~ 1018
~~dependency~~ substance use disorder counseling as a chemical 1019
dependency counselor assistant; 1020

(3) Have a minimum of the number of hours specified in 1021
rules adopted under section 4758.20 of the Revised Code of 1022
training in ~~chemical dependency~~ substance use disorders that 1023
meets the requirements specified in those rules; 1024

(4) Pass one or more examinations administered pursuant to 1025
section 4758.22 of the Revised Code for the purpose of 1026
determining competence to practice as a chemical dependency 1027
counselor II. 1028

Sec. 4758.43. An individual seeking a chemical dependency 1029

counselor assistant certificate shall be at least eighteen years 1030
of age, have a high school diploma or certificate of high school 1031
equivalence, and meet either of the following requirements: 1032

(A) Have at least the number of hours specified in rules 1033
adopted under section 4758.20 of the Revised Code of training in 1034
~~chemical dependency-substance use disorder~~ counseling that meets 1035
the requirements specified in those rules; 1036

(B) Hold, on December 23, 2002, a certificate or 1037
credentials that were accepted under former section 3793.07 of 1038
the Revised Code as authority to practice as a registered 1039
candidate. 1040

Sec. 4758.52. (A) Except as provided in division ~~(C)~~ (B) 1041
of this section, each individual who holds an initial chemical 1042
dependency counselor assistant certificate shall complete, 1043
~~during the first twelve months that the initial certificate is~~ 1044
~~in effect~~ within one year of the expiration of the initial 1045
certificate, at least thirty additional hours of training in 1046
~~chemical dependency-substance use disorder~~ counseling that meets 1047
the requirements specified in rules adopted under section 1048
4758.20 of the Revised Code as a condition of having ~~the initial~~ 1049
~~certificate renewed~~ a renewable chemical dependency counselor 1050
assistant certificate issued. 1051

~~(B) Except as provided in division (C) of this section, an~~ 1052
~~individual whose initial chemical dependency counselor assistant~~ 1053
~~certificate has expired shall complete at least thirty~~ 1054
~~additional hours of training in chemical dependency counseling~~ 1055
~~that meets the requirements specified in rules adopted under~~ 1056
~~section 4758.20 of the Revised Code as a condition of receiving~~ 1057
~~a restored chemical dependency counselor assistant certificate.~~ 1058

~~(C)~~—The chemical dependency professionals board may waive 1059
the additional training requirement established under this 1060
section for individuals who are unable to fulfill the 1061
requirement because of military service, illness, residence 1062
outside the United States, or any other reason the board 1063
considers acceptable. 1064

Sec. 4758.54. In addition to practicing ~~chemical-~~ 1065
~~dependency~~ substance use disorder counseling, an individual 1066
holding a valid independent chemical dependency counselor- 1067
clinical supervisor license may do all of the following: 1068

(A) Diagnose and treat ~~chemical dependency-~~ 1069
~~conditions~~ substance use disorders; 1070

(B) Perform treatment planning, assessment, crisis 1071
intervention, individual and group counseling, case management, 1072
and education services as they relate to abuse of and dependency 1073
on alcohol and other drugs; 1074

(C) Provide clinical supervision of ~~chemical dependency-~~ 1075
substance use disorder counseling; 1076

(D) Refer individuals with ~~nonchemical dependency-~~ 1077
conditions other than substance use disorder to appropriate 1078
sources of help. 1079

Sec. 4758.55. In addition to practicing ~~chemical-~~ 1080
~~dependency~~ substance use disorder counseling, an individual 1081
holding a valid independent chemical dependency counselor 1082
license may do all of the following: 1083

(A) Diagnose and treat ~~chemical dependency-~~ 1084
~~conditions~~ substance use disorders; 1085

(B) Perform treatment planning, assessment, crisis 1086

intervention, individual and group counseling, case management, 1087
and education services as they relate to abuse of and dependency 1088
on alcohol and other drugs; 1089

(C) Provide clinical supervision of ~~chemical dependency~~ 1090
substance use disorder counseling under the supervision of any 1091
of the following: 1092

(1) An independent chemical dependency counselor-clinical 1093
supervisor licensed under this chapter; 1094

(2) An individual authorized under Chapter 4731. of the 1095
Revised Code to practice medicine and surgery or osteopathic 1096
medicine and surgery; 1097

(3) A psychologist licensed under Chapter 4732. of the 1098
Revised Code; 1099

(4) A registered nurse licensed under Chapter 4723. of the 1100
Revised Code or licensed professional clinical counselor, 1101
independent social worker, or independent marriage and family 1102
therapist licensed under Chapter 4757. of the Revised Code if 1103
such supervision is consistent with the scope of practice of the 1104
registered nurse, licensed professional clinical counselor, 1105
independent social worker, or independent marriage and family 1106
therapist; 1107

(5) An individual authorized to practice as a certified 1108
nurse practitioner or clinical nurse specialist under Chapter 1109
4723. of the Revised Code. 1110

(D) Refer individuals with ~~nonchemical dependency~~ 1111
conditions other than substance use disorder to appropriate 1112
sources of help. 1113

Sec. 4758.56. (A) In addition to practicing ~~chemical~~ 1114

~~dependency~~ substance use disorder counseling, an individual 1115
holding a valid chemical dependency counselor III license may do 1116
all of the following: 1117

(1) Diagnose ~~chemical dependency conditions~~ substance use 1118
disorders under the supervision of any of the professionals 1119
listed in section 4758.561 of the Revised Code; 1120

(2) Treat ~~chemical dependency conditions~~ substance use 1121
disorders; 1122

(3) Perform treatment planning, assessment, crisis 1123
intervention, individual and group counseling, case management, 1124
and education services as they relate to abuse of and dependency 1125
on alcohol and other drugs; 1126

(4) Provide clinical supervision of ~~chemical dependency~~ 1127
substance use disorder counseling under the supervision of any 1128
of the professionals listed in section 4758.561 of the Revised 1129
Code; 1130

(5) Refer individuals with ~~nonchemical dependency~~ 1131
conditions other than substance use disorder to appropriate 1132
sources of help. 1133

(B) A chemical dependency counselor III may not practice 1134
as an individual practitioner. 1135

Sec. 4758.57. (A) In addition to practicing ~~chemical~~ 1136
~~dependency~~ substance use disorder counseling, an individual 1137
holding a valid chemical dependency counselor II license may do 1138
both of the following: 1139

(1) Perform treatment planning, assessment, crisis 1140
intervention, individual and group counseling, case management, 1141
and education services as they relate to abuse of and dependency 1142

on alcohol and other drugs; 1143

(2) Refer individuals with ~~nonchemical dependency~~ 1144
conditions other than substance use disorder to appropriate 1145
sources of help. 1146

(B) A chemical dependency counselor II may not practice as 1147
an individual practitioner. 1148

Sec. 4758.59. (A) Subject to division (B) of this section, 1149
an individual holding a valid chemical dependency counselor 1150
assistant certificate may do both of the following in addition 1151
to practicing ~~chemical dependency~~ substance use disorder 1152
counseling: 1153

(1) Perform treatment planning, assessment, crisis 1154
intervention, individual and group counseling, case management, 1155
and education services as they relate to abuse of or dependency 1156
on alcohol and other drugs; 1157

(2) Refer individuals with ~~nonchemical dependency~~ 1158
conditions other than substance use disorder to appropriate 1159
sources of help. 1160

(B) An individual holding a valid chemical dependency 1161
counselor assistant certificate may practice ~~chemical dependency~~ 1162
substance use disorder counseling and perform the tasks 1163
specified in division (A) of this section only while under the 1164
supervision of any of the following: 1165

(1) An independent chemical dependency counselor-clinical 1166
supervisor, independent chemical dependency counselor, or 1167
chemical dependency counselor III licensed under this chapter; 1168

(2) An individual authorized under Chapter 4731. of the 1169
Revised Code to practice medicine and surgery or osteopathic 1170

medicine and surgery; 1171

(3) A psychologist licensed under Chapter 4732. of the 1172
Revised Code; 1173

(4) A registered nurse licensed under Chapter 4723. of the 1174
Revised Code or licensed professional clinical counselor, 1175
independent social worker, or independent marriage and family 1176
therapist licensed under Chapter 4757. of the Revised Code if 1177
such supervision is consistent with the scope of practice of the 1178
registered nurse, licensed professional clinical counselor, 1179
independent social worker, or independent marriage and family 1180
therapist; 1181

(5) An individual authorized to practice as a certified 1182
nurse practitioner or clinical nurse specialist under Chapter 1183
4723. of the Revised Code. 1184

(C) A chemical dependency counselor assistant may not 1185
practice as an individual practitioner. 1186

Sec. 4758.64. ~~An~~ (A) Subject to division (C) of this 1187
section, an individual who holds a chemical dependency counselor 1188
II license and a gambling disorder endorsement may do all of the 1189
following: 1190

~~(A)~~ (1) Treat gambling disorder conditions; 1191

~~(B)~~ (2) Perform treatment planning, assessment, crisis 1192
intervention, individual, family, and group counseling, case 1193
management, and educational services insofar as those functions 1194
relate to gambling disorders; and 1195

~~(C)~~ (3) Refer individuals with other gambling conditions 1196
to appropriate sources of help. 1197

(B) An individual holding a chemical dependency II license 1198

shall not practice <u>do any of the following:</u>	1199
<u>(1) Practice as an individual practitioner;</u>	1200
<u>(2) Provide clinical supervision;</u>	1201
<u>(3) Provide diagnoses.</u>	1202
<u>(C) An individual who holds a chemical dependency</u>	1203
<u>counselor II license and a gambling disorder endorsement may</u>	1204
<u>perform the tasks specified in division (A) of this section only</u>	1205
<u>while under the supervision of any one or more of the following:</u>	1206
<u>(1) An independent chemical dependency counselor-clinical</u>	1207
<u>supervisor;</u>	1208
<u>(2) An individual authorized under Chapter 4731. of the</u>	1209
<u>Revised Code to practice medicine and surgery or osteopathic</u>	1210
<u>medicine and surgery;</u>	1211
<u>(3) A psychologist licensed under Chapter 4732. of the</u>	1212
<u>Revised Code;</u>	1213
<u>(4) A registered nurse licensed under Chapter 4723. of the</u>	1214
<u>Revised Code if such supervision is consistent with the scope of</u>	1215
<u>practice of the registered nurse, or an individual authorized to</u>	1216
<u>practice as a certified nurse practitioner or clinical nurse</u>	1217
<u>specialist under Chapter 4723. of the Revised Code;</u>	1218
<u>(5) A professional clinical counselor, independent social</u>	1219
<u>worker, or independent marriage and family therapist licensed</u>	1220
<u>under Chapter 4757. of the Revised Code if such supervision is</u>	1221
<u>consistent with the scope of practice of the professional</u>	1222
<u>clinical counselor, independent social worker, or independent</u>	1223
<u>marriage and family therapist;</u>	1224
<u>(6) An independent chemical dependency counselor or</u>	1225

chemical dependency counselor III, but only if the individual 1226
providing the supervision is being supervised by a person 1227
identified in divisions (C) (1) to (5) of this section. 1228

Sec. 4758.99. Whoever violates ~~division (A) or (B) of~~ 1229
section 4758.02 of the Revised Code is guilty of a misdemeanor 1230
of the fourth degree on a first offense; on each subsequent 1231
offense, the person is guilty of a misdemeanor of the third 1232
degree. 1233

Section 2. That existing sections 3923.29, 4758.01, 1234
4758.02, 4758.03, 4758.10, 4758.13, 4758.16, 4758.20, 4758.21, 1235
4758.22, 4758.221, 4758.23, 4758.26, 4758.27, 4758.30, 4758.31, 1236
4758.36, 4758.39, 4758.40, 4758.41, 4758.42, 4758.43, 4758.52, 1237
4758.54, 4758.55, 4758.56, 4758.57, 4758.59, 4758.64, and 1238
4758.99 of the Revised Code are hereby repealed. 1239