

As Passed by the House

133rd General Assembly

Regular Session

2019-2020

H. B. No. 365

Representative Manning, G.

**Cosponsors: Representatives Carruthers, Lanese, Richardson, Roemer, Rogers,
Seitz, Stein**

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	20
Code, all of the following:	21
(a) Good moral character requirements for an individual	22
who seeks or holds a license, certificate, or endorsement issued	23
under this chapter;	24
(b) The documents that an individual seeking such a	25
license, certificate, or endorsement must submit to the board;	26
(c) Requirements to obtain the license, certificate, or	27
endorsement that are in addition to the requirements established	28
under sections 4758.39, 4758.40, 4758.41, 4758.42, 4758.43,	29
4758.44, 4758.45, 4758.46, 4758.47, and 4758.48 of the Revised	30
Code. The additional requirements may include preceptorships.	31
(d) The period of time that an individual whose registered	32
applicant certificate has expired must wait before applying for	33
a new registered applicant certificate.	34
(5) For the purpose of section 4758.28 of the Revised	35
Code, requirements for approval of continuing education courses	36
of study for individuals who hold a license, certificate, or	37
endorsement issued under this chapter;	38
(6) For the purpose of section 4758.30 of the Revised	39
Code, the intervention for and treatment of an individual	40
holding a license, certificate, or endorsement issued under this	41
chapter whose abilities to practice are impaired due to abuse of	42
or dependency on alcohol or other drugs or other physical or	43
mental condition;	44

(7) Requirements governing reinstatement of a suspended or 45
revoked license, certificate, or endorsement under division (B) 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 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;	73 74 75 76 77
(12) 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 division <u>divisions</u> (A) (3) <u>and</u> (D) (3) of section 4758.42 of the Revised Code, both of the following:	78 79 80 81
(a) The number of hours of training in chemical dependency an individual must have;	82 83
(b) Training requirements for chemical dependency that shall, at a minimum, include qualifications for the individuals who provide the training and the content areas covered in the training.	84 85 86 87
(13) 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;	88 89 90 91 92
(14) 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 disorders that is current at the time of the training, including the number of the clock hours that must be on substance-related disorders, the number of the clock hours that must be on chemical dependency conditions, and the number of the clock	93 94 95 96 97 98 99 100

hours that must be on awareness of other mental and emotional disorders;	101
	102
(15) For the purpose of division (A) (1) of section 4758.41 of the Revised Code, course requirements for a degree in a behavioral science or nursing;	103
	104
	105
<u>(16) For the purpose of division (C) (2) of section 4758.42 of the Revised Code, education requirements for chemical dependency;</u>	106
	107
	108
<u>(17) For the purpose of division (C) (3) of section 4758.42 of the Revised Code, requirements for practicum experience in chemical dependency;</u>	109
	110
	111
<u>(18) For the purpose of division (A) of section 4758.43 of the Revised Code, both of the following:</u>	112
	113
(a) The number of hours of training in chemical dependency counseling that an individual must have;	114
	115
(b) Training requirements for chemical dependency counseling that shall, at a minimum, include qualifications for the individuals who provide the training and the content areas covered in the training.	116
	117
	118
	119
(17) <u>(19)</u> For the purpose of division (A) (1) of section 4758.44 of the Revised Code, the number of hours of compensated work experience in prevention services that an individual must have and the number of those hours that must be in administering or supervising the services;	120
	121
	122
	123
	124
(18) <u>(20)</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;	125
	126
	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	159
Revised Code, the number of hours of continuing education that	160
an individual must complete to have an expired license,	161
certificate, or endorsement restored under section 4758.26 of	162
the Revised Code;	163
(27) <u>(29)</u> For the purpose of divisions (A) and (B) of	164
section 4758.52 of the Revised Code, training requirements for	165
chemical dependency counseling;	166
(28) <u>(30)</u> The duties, which may differ, of all of the	167
following:	168
(a) An independent chemical dependency counselor-clinical	169
supervisor licensed under this chapter who supervises a chemical	170
dependency counselor III under section 4758.56 of the Revised	171
Code;	172
(b) An independent chemical dependency counselor-clinical	173
supervisor, independent chemical dependency counselor, or	174
chemical dependency counselor III licensed under this chapter	175
who supervises a chemical dependency counselor assistant under	176
section 4758.59 of the Revised Code;	177
(c) A prevention consultant or prevention specialist	178
certified under this chapter or independent chemical dependency	179
counselor-clinical supervisor, independent chemical dependency	180
counselor, or chemical dependency counselor III licensed under	181
this chapter who supervises a prevention specialist assistant or	182
registered applicant under section 4758.61 of the Revised Code.	183
(29) <u>(31)</u> The duties of an independent chemical dependency	184
counselor licensed under this chapter who holds the gambling	185

disorder endorsement who supervises a chemical dependency 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</u>	240

education in chemical dependency that meets the requirements 241
specified in rules adopted under section 4758.20 of the Revised 242
Code; 243

(3) While holding a valid chemical dependency counselor 244
assistant certificate, have successfully completed at least one 245
semester of practicum experience in chemical dependency that 246
meets the requirements specified in rules adopted under section 247
4758.20 of the Revised Code and includes at least sixteen hours 248
per week of practicum experience, at least two hours per week of 249
which is supervised practicum experience; 250

(4) Have at least one thousand hours of compensated work 251
experience as a chemical dependency counselor assistant; 252

(5) Provide to the chemical dependency professionals board 253
a written recommendation from an individual who supervised the 254
individual's practice of chemical dependency counseling as a 255
chemical dependency counselor assistant as required by division 256
(B) of section 4758.59 of the Revised Code; 257

(6) Pass one or more examinations administered pursuant to 258
section 4758.22 of the Revised Code for the purpose of 259
determining competence to practice as a chemical dependency 260
counselor II. 261

(D) To meet the requirements of this division, an 262
individual must meet all of the following requirements: 263

(1) Since at least December 31, 2008, continuously have 264
done both of the following: 265

(a) Held a valid chemical dependency counselor assistant 266
certificate; 267

(b) Practiced chemical dependency counseling while under 268

<u>supervision as required by division (B) of section 4758.59 of</u>	269
<u>the Revised Code.</u>	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