

As Introduced

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

H. B. No. 5

Representative Manning

A BILL

To amend sections 4758.20, 4758.42, and 4758.61 of 1
the Revised Code to modify the requirements that 2
may be met for licensure as a chemical 3
dependency counselor II and to modify the 4
professionals who may supervise certain 5
individuals providing prevention services. 6

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

Section 1. That sections 4758.20, 4758.42, and 4758.61 of 7
the Revised Code be amended to read as follows: 8

Sec. 4758.20. (A) The chemical dependency professionals 9
board shall adopt rules to establish, specify, or provide for 10
all of the following: 11

(1) Fees for the purposes authorized by section 4758.21 of 12
the Revised Code; 13

(2) If the board, pursuant to section 4758.221 of the 14
Revised Code, elects to administer examinations for individuals 15
seeking to act as substance abuse professionals in a U.S. 16
department of transportation drug and alcohol testing program, 17
the board's administration of the examinations; 18

(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;	19 20 21 22
(4) For the purpose of section 4758.24 of the Revised Code, all of the following:	23 24
(a) Good moral character requirements for an individual who seeks or holds a license, certificate, or endorsement issued under this chapter;	25 26 27
(b) The documents that an individual seeking such a license, certificate, or endorsement must submit to the board;	28 29
(c) Requirements to obtain the license, certificate, or endorsement that are in addition to the requirements established under sections 4758.39, 4758.40, 4758.41, 4758.42, 4758.43, 4758.44, 4758.45, 4758.46, 4758.47, and 4758.48 of the Revised Code. The additional requirements may include preceptorships.	30 31 32 33 34
(d) The period of time that an individual whose registered applicant certificate has expired must wait before applying for a new registered applicant certificate.	35 36 37
(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;	38 39 40 41
(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;	42 43 44 45 46 47

(7) Requirements governing reinstatement of a suspended or 48
revoked license, certificate, or endorsement under division (B) 49
of section 4758.30 of the Revised Code, including requirements 50
for determining the amount of time an individual must wait to 51
apply for reinstatement; 52

(8) For the purpose of section 4758.31 of the Revised 53
Code, methods of ensuring that all records the board holds 54
pertaining to an investigation remain confidential during the 55
investigation; 56

(9) Criteria for employees of the board to follow when 57
performing their duties under division (B) of section 4758.35 of 58
the Revised Code; 59

(10) For the purpose of division (A) (1) of section 4758.39 60
and division (A) (1) of section 4758.40 of the Revised Code, 61
course requirements for a degree in a behavioral science or 62
nursing that shall, at a minimum, include at least forty 63
semester hours in all of the following courses: 64

(a) Theories of counseling and psychotherapy; 65

(b) Counseling procedures; 66

(c) Group process and techniques; 67

(d) Relationship therapy; 68

(e) Research methods and statistics; 69

(f) Fundamentals of assessment and diagnosis, including 70
measurement and appraisal; 71

(g) Psychopathology; 72

(h) Human development; 73

(i) Cultural competence in counseling; 74

(j) Ethics.	75
(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;	76 77 78 79 80
(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:	81 82 83 84
(a) The number of hours of training in chemical dependency an individual must have;	85 86
(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.	87 88 89 90
(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;	91 92 93 94 95
(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	96 97 98 99 100 101 102 103

hours that must be on awareness of other mental and emotional disorders;	104 105
(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;	106 107 108
(16) <u>For the purpose of division (C) (2) of section 4758.42 of the Revised Code, education requirements for chemical dependency;</u>	109 110 111
(17) <u>For the purpose of division (C) (3) of section 4758.42 of the Revised Code, requirements for programs that provide practicum experience in chemical dependency;</u>	112 113 114
(18) For the purpose of division (A) of section 4758.43 of the Revised Code, both of the following:	115 116
(a) The number of hours of training in chemical dependency counseling that an individual must have;	117 118
(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.	119 120 121 122
(17) (19) 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;	123 124 125 126 127
(18) (20) 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;	128 129 130
(19) (21) For the purpose of division (A) (3) of section	131

4758.44, division (A) (3) of section 4758.45, and division (D) of	132
section 4758.46 of the Revised Code, both of the following:	133
(a) The number of hours of prevention-related education	134
that an individual must have;	135
(b) Requirements for prevention-related education.	136
(20) <u>(22)</u> For the purpose of division (A) (4) of section	137
4758.44 of the Revised Code, the number of hours of	138
administrative or supervisory education that an individual must	139
have;	140
(21) <u>(23)</u> For the purpose of division (A) (1) of section	141
4758.45 of the Revised Code, the number of hours of compensated	142
or volunteer work, field placement, intern, or practicum	143
experience in prevention services that an individual must have	144
and the number of those hours that must be in planning or	145
delivering the services;	146
(22) <u>(24)</u> For the purpose of division (A) (2) of section	147
4758.45 of the Revised Code, the field of study in which an	148
individual must obtain at least an associate's degree;	149
(23) <u>(25)</u> For the purpose of division (C) of section	150
4758.46 of the Revised Code, the number of hours of compensated	151
or volunteer work, field placement, intern, or practicum	152
experience in prevention services that an individual must have;	153
(24) <u>(26)</u> Standards for the one hundred hours of	154
compensated work or supervised internship in gambling disorder	155
direct clinical experience required by division (B) (2) of	156
section 4758.48 of the Revised Code;	157
(25) <u>(27)</u> For the purpose of section 4758.51 of the	158
Revised Code, continuing education requirements for individuals	159

who hold a license, certificate, or endorsement issued under	160
this chapter;	161
(26) <u>(28)</u> For the purpose of section 4758.51 of the	162
Revised Code, the number of hours of continuing education that	163
an individual must complete to have an expired license,	164
certificate, or endorsement restored under section 4758.26 of	165
the Revised Code;	166
(27) <u>(29)</u> For the purpose of divisions (A) and (B) of	167
section 4758.52 of the Revised Code, training requirements for	168
chemical dependency counseling;	169
(28) <u>(30)</u> The duties, which may differ, of all of the	170
following:	171
(a) An independent chemical dependency counselor-clinical	172
supervisor licensed under this chapter who supervises a chemical	173
dependency counselor III under section 4758.56 of the Revised	174
Code;	175
(b) An independent chemical dependency counselor-clinical	176
supervisor, independent chemical dependency counselor, or	177
chemical dependency counselor III licensed under this chapter	178
who supervises a chemical dependency counselor assistant under	179
section 4758.59 of the Revised Code;	180
(c) A prevention consultant or prevention specialist	181
certified under this chapter or independent chemical dependency	182
counselor-clinical supervisor, independent chemical dependency	183
counselor, or chemical dependency counselor III licensed under	184
this chapter who supervises a prevention specialist assistant or	185
registered applicant under section 4758.61 of the Revised Code.	186
(29) <u>(31)</u> The duties of an independent chemical dependency	187
counselor licensed under this chapter who holds the gambling	188

disorder endorsement who supervises a chemical dependency 189
counselor III with the gambling disorder endorsement under 190
section 4758.62 of the Revised Code. 191

~~(30)~~ (32) Anything else necessary to administer this 192
chapter. 193

(B) All rules adopted under this section shall be adopted 194
in accordance with Chapter 119. of the Revised Code and any 195
applicable federal laws and regulations. 196

(C) When it adopts rules under this section, the board may 197
consider standards established by any national association or 198
other organization representing the interests of those involved 199
in chemical dependency counseling or prevention services. 200

Sec. 4758.42. An individual seeking a chemical dependency 201
counselor II license shall meet the requirements of division (A) 202
~~or, (B), or (C)~~ of this section or, until three years after the 203
effective date of this amendment, division (A), (B), (C), or (D) 204
of this section. 205

(A) To meet the requirements of this division, an 206
individual must meet all of the following requirements: 207

(1) Hold from an accredited educational institution an 208
associate's degree in a behavioral science or nursing or a 209
bachelor's degree in any field; 210

(2) Have not less than the number of hours specified in 211
rules adopted under section 4758.20 of the Revised Code of 212
compensated work or supervised internship experience in any of 213
the following, not less than twenty per cent of which are in 214
chemical dependency counseling: 215

(a) Chemical dependency services, substance abuse 216

services, or both types of services;	217
(b) The practice of psychology, as defined in section 4732.01 of the Revised Code;	218 219
(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.	220 221 222
(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;	223 224 225 226
(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.	227 228 229 230
(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.	231 232 233 234 235
<u>(C) To meet the requirements of this division, an individual must meet all of the following requirements:</u>	236 237
<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>	238 239 240
<u>(a) A behavioral science;</u>	241
<u>(b) Nursing.</u>	242
<u>(2) Have a minimum of one hundred eighty hours of</u>	243

education in chemical dependency that meets the requirements 244
specified in rules adopted under section 4758.20 of the Revised 245
Code; 246

(3) While holding a valid chemical dependency counselor 247
assistant certificate, have successfully completed, over the 248
course of not more than any two semesters, at least two hundred 249
forty hours of supervised practicum experience in chemical 250
dependency through a program that meets all of the following 251
requirements: 252

(a) The program includes at least two hours per week of 253
supervised practicum experience; 254

(b) The program provides intensive outpatient treatment or 255
a higher level of care, or another level of care if specified in 256
rules adopted under section 4758.20 of the Revised Code; 257

(c) The program meets other requirements specified in 258
rules adopted under that section. 259

(4) Have at least one thousand hours of compensated work 260
experience as a chemical dependency counselor assistant; 261

(5) Provide to the chemical dependency professionals board 262
a written recommendation from an individual who supervised the 263
individual's practice of chemical dependency counseling as a 264
chemical dependency counselor assistant as required by division 265
(B) of section 4758.59 of the Revised Code; 266

(6) Pass one or more examinations administered pursuant to 267
section 4758.22 of the Revised Code for the purpose of 268
determining competence to practice as a chemical dependency 269
counselor II. 270

(D) To meet the requirements of this division, an 271

<u>individual must meet all of the following requirements:</u>	272
<u>(1) Since at least December 31, 2008, continuously have</u>	273
<u>done both of the following:</u>	274
<u>(a) Held a valid chemical dependency counselor assistant</u>	275
<u>certificate;</u>	276
<u>(b) Practiced chemical dependency counseling while under</u>	277
<u>supervision as required by division (B) of section 4758.59 of</u>	278
<u>the Revised Code.</u>	279
<u>(2) Provide to the board a written recommendation from an</u>	280
<u>individual who supervised the individual's practice of chemical</u>	281
<u>dependency counseling as a chemical dependency counselor</u>	282
<u>assistant;</u>	283
<u>(3) Have a minimum of the number of hours specified in</u>	284
<u>rules adopted under section 4758.20 of the Revised Code of</u>	285
<u>training in chemical dependency that meets the requirements</u>	286
<u>specified in those rules;</u>	287
<u>(4) Pass one or more examinations administered pursuant to</u>	288
<u>section 4758.22 of the Revised Code for the purpose of</u>	289
<u>determining competence to practice as a chemical dependency</u>	290
<u>counselor II.</u>	291
Sec. 4758.61. An individual who holds a valid prevention	292
specialist assistant certificate or registered applicant	293
certificate issued under this chapter may engage in the practice	294
of prevention services under the supervision of any of the	295
following:	296
(A) A prevention consultant or prevention specialist	297
certified under this chapter;	298
(B) An independent chemical dependency counselor clinical	299

~~supervisor, an independent chemical dependency counselor, or a~~ 300
~~chemical dependency counselor III licensed under this chapter;~~ 301

~~(C)~~ An individual authorized under Chapter 4731. of the 302
Revised Code to practice medicine and surgery or osteopathic 303
medicine and surgery; 304

~~(D)~~ (C) A psychologist licensed under Chapter 4732. of the 305
Revised Code; 306

~~(E)~~ (D) A registered nurse licensed under Chapter 4723. of 307
the Revised Code; 308

~~(F)~~ (E) A licensed professional clinical counselor, a 309
licensed professional counselor, an independent social worker, a 310
social worker, an independent marriage and family therapist, or 311
a marriage and family therapist licensed under Chapter 4757. of 312
the Revised Code; 313

~~(G)~~ (F) A school counselor licensed by the department of 314
education pursuant to section 3319.22 of the Revised Code; 315

~~(H)~~ (G) A health education specialist certified by the 316
national commission for health education credentialing; 317

~~(I)~~ (H) An individual authorized to practice as a 318
certified nurse practitioner or clinical nurse specialist under 319
Chapter 4723. of the Revised Code. 320

Section 2. That existing sections 4758.20, 4758.42, and 321
4758.61 of the Revised Code are hereby repealed. 322

Section 3. Not later than six months after the effective 323
date of this section, the Department of Mental Health and 324
Addiction Services, in consultation with the Chemical Dependency 325
Professionals Board, shall study levels of care that must be 326
offered by a program providing practicum experience for purposes 327

of division (C) (3) of section 4758.42 of the Revised Code and	328
develop recommendations regarding whether levels of care not	329
specifically authorized in that division should be authorized	330
through the adoption of rules.	331