

AN ACT

To amend sections 4758.20, 4758.42, and 4758.61 of the Revised Code to modify the requirements that may be met for licensure as a chemical dependency counselor II and to modify the professionals who may supervise certain individuals providing prevention services, and to amend the version of section 4758.20 of the Revised Code that is scheduled to take effect October 9, 2021, to continue the change on and after that date.

Be it enacted by the General Assembly of the State of Ohio:

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

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

- (1) Fees for the purposes authorized by section 4758.21 of the Revised Code;
- (2) If the board, pursuant to section 4758.221 of the Revised Code, elects to administer examinations for individuals seeking to act as substance abuse professionals in a U.S. department of transportation drug and alcohol testing program, the board's administration of the examinations;
- (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;
- (4) For the purpose of section 4758.24 of the Revised Code, all of the following:
 - (a) Good moral character requirements for an individual who seeks or holds a license, certificate, or endorsement issued under this chapter;
 - (b) The documents that an individual seeking such a license, certificate, or endorsement must submit to the board;
 - (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.
- (d) The period of time that an individual whose registered applicant certificate has expired must wait before applying for a new registered applicant certificate.
- (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;
- (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;

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

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

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

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

- (a) Theories of counseling and psychotherapy;
- (b) Counseling procedures;
- (c) Group process and techniques;
- (d) Relationship therapy;
- (e) Research methods and statistics;
- (f) Fundamentals of assessment and diagnosis, including measurement and appraisal;
- (g) Psychopathology;
- (h) Human development;
- (i) Cultural competence in counseling;
- (j) Ethics.

(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;

(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~~ divisions (A)(3) and (D)(3) of section 4758.42 of the Revised Code, both of the following:

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

(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;

(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 hours that must be on awareness of other mental and emotional disorders;

(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;

(16) For the purpose of division (C)(2) of section 4758.42 of the Revised Code, education requirements for chemical dependency;

(17) 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;

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

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

(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.

~~(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;

~~(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;

~~(19)~~(21) 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:

(a) The number of hours of prevention-related education that an individual must have;

(b) Requirements for prevention-related education.

~~(20)~~(22) 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;

~~(21)~~(23) 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;

~~(22)~~(24) 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;

~~(23)~~(25) 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;

~~(24)~~(26) Standards for the one hundred hours of compensated work or supervised internship in gambling disorder direct clinical experience required by division (B)(2) of section 4758.48 of the Revised Code;

~~(25)~~(27) For the purpose of section 4758.51 of the Revised Code, continuing education requirements for individuals who hold a license, certificate, or endorsement issued under this chapter;

~~(26)~~(28) For the purpose of section 4758.51 of the Revised Code, the number of hours of continuing education that an individual must complete to have an expired license, certificate, or endorsement restored under section 4758.26 of the Revised Code;

~~(27)~~(29) For the purpose of divisions (A) and (B) of section 4758.52 of the Revised Code, training requirements for chemical dependency counseling;

~~(28)-(30)~~ The duties, which may differ, of all of the following:

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

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

~~(c) A prevention consultant or prevention specialist certified under this chapter or independent chemical dependency counselor-clinical supervisor, independent chemical dependency counselor, or chemical dependency counselor III licensed under this chapter who supervises a prevention specialist assistant or registered applicant under section 4758.61 of the Revised Code.~~

~~(29)-(31)~~ 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.

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

(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.

(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 counseling or prevention services.

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

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

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

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

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

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

(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.

(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;

(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.

(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.

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

(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:

(a) A behavioral science;

(b) Nursing.

(2) Have a minimum of one hundred eighty hours of education in chemical dependency that meets the requirements specified in rules adopted under section 4758.20 of the Revised Code;

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

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

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

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

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

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

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

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

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

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

(b) Practiced chemical dependency counseling while under supervision as required by division (B) of section 4758.59 of the Revised Code.

(2) Provide to the board a written recommendation from an individual who supervised the individual's practice of chemical dependency counseling as a chemical dependency counselor assistant;

(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;

(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.

Sec. 4758.61. An individual who holds a valid prevention specialist assistant certificate or registered applicant certificate issued under this chapter may engage in the practice of prevention services under the supervision of any of the following:

- (A) A prevention consultant or prevention specialist certified under this chapter;
- (B) ~~An independent chemical dependency counselor clinical supervisor, an independent chemical dependency counselor, or a chemical dependency counselor III licensed under this chapter;~~
- ~~(C)~~ An individual authorized under Chapter 4731. of the Revised Code to practice medicine and surgery or osteopathic medicine and surgery;
- ~~(D)~~ ~~(C)~~ A psychologist licensed under Chapter 4732. of the Revised Code;
- ~~(E)~~ ~~(D)~~ A registered nurse licensed under Chapter 4723. of the Revised Code;
- ~~(F)~~ ~~(E)~~ A licensed professional clinical counselor, a licensed professional counselor, an independent social worker, a social worker, an independent marriage and family therapist, or a marriage and family therapist licensed under Chapter 4757. of the Revised Code;
- ~~(G)~~ ~~(F)~~ A school counselor licensed by the department of education pursuant to section 3319.22 of the Revised Code;
- ~~(H)~~ ~~(G)~~ A health education specialist certified by the national commission for health education credentialing;
- ~~(I)~~ ~~(H)~~ An individual authorized to practice as a certified nurse practitioner or clinical nurse specialist under Chapter 4723. of the Revised Code.

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

SECTION 3. That the version of section 4758.20 of the Revised Code that is scheduled to take effect October 9, 2021, be amended to read as follows:

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

- (1) Fees for the purposes authorized by section 4758.21 of the Revised Code;
- (2) If the board, pursuant to section 4758.221 of the Revised Code, elects to administer examinations for individuals seeking to act as substance abuse professionals in a U.S. department of transportation drug and alcohol testing program, the board's administration of the examinations;
- (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;
- (4) For the purpose of section 4758.24 of the Revised Code, all of the following:
 - (a) The documents that an individual seeking such a license, certificate, or endorsement must submit to the board;
 - (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.
 - (c) The period of time that an individual whose registered applicant certificate has expired must wait before applying for a new registered applicant certificate.
- (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;

(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;

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

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

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

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

- (a) Theories of counseling and psychotherapy;
- (b) Counseling procedures;
- (c) Group process and techniques;
- (d) Relationship therapy;
- (e) Research methods and statistics;
- (f) Fundamentals of assessment and diagnosis, including measurement and appraisal;
- (g) Psychopathology;
- (h) Human development;
- (i) Cultural competence in counseling;
- (j) Ethics.

(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;

(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~~ divisions (A)(3) and (D)(3) of section 4758.42 of the Revised Code, both of the following:

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

(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;

(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 hours that must be on awareness of other mental and emotional disorders;

(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;

(16) For the purpose of division (C)(2) of section 4758.42 of the Revised Code, education requirements for chemical dependency;

(17) 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;

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

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

(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.

~~(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;

~~(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;

~~(19)-(21)~~ 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:

(a) The number of hours of prevention-related education that an individual must have;

(b) Requirements for prevention-related education.

~~(20)-(22)~~ 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;

~~(21)-(23)~~ 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;

~~(22)-(24)~~ 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;

~~(23)-(25)~~ 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;

~~(24)-(26)~~ Standards for the one hundred hours of compensated work or supervised internship in gambling disorder direct clinical experience required by division (B)(2) of section 4758.48 of the Revised Code;

~~(25)-(27)~~ For the purpose of section 4758.51 of the Revised Code, continuing education requirements for individuals who hold a license, certificate, or endorsement issued under this chapter;

~~(26)-(28)~~ For the purpose of section 4758.51 of the Revised Code, the number of hours of

continuing education that an individual must complete to have an expired license, certificate, or endorsement restored under section 4758.26 of the Revised Code;

~~(27)-(29)~~ For the purpose of divisions (A) and (B) of section 4758.52 of the Revised Code, training requirements for chemical dependency counseling;

~~(28)-(30)~~ The duties, which may differ, of all of the following:

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

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

~~(c) A prevention consultant or prevention specialist certified under this chapter or independent chemical dependency counselor-clinical supervisor, independent chemical dependency counselor, or chemical dependency counselor III licensed under this chapter who supervises a prevention specialist assistant or registered applicant under section 4758.61 of the Revised Code.~~

~~(29)-(31)~~ 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.

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

(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.

(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 counseling or prevention services.

SECTION 4. That the existing version of section 4758.20 of the Revised Code that is scheduled to take effect October 9, 2021, is hereby repealed.

SECTION 5. Sections 3 and 4 of this act take effect October 9, 2021.

SECTION 6. Not later than six months after the effective date of this section, the Department of Mental Health and Addiction Services, in consultation with the Chemical Dependency Professionals Board, shall study levels of care that must be offered by a program providing practicum experience for purposes of division (C)(3) of section 4758.42 of the Revised Code and develop recommendations regarding whether levels of care not specifically authorized in that division should be authorized through the adoption of rules.

Speaker _____ *of the House of Representatives.*

President _____ *of the Senate.*

Passed _____, 20____

Approved _____, 20____

Governor.

The section numbering of law of a general and permanent nature is complete and in conformity with the Revised Code.

Director, Legislative Service Commission.

Filed in the office of the Secretary of State at Columbus, Ohio, on the ____ day of _____, A. D. 20 ____.

Secretary of State.

File No. _____ Effective Date _____