

Summary of Proposed Legislative Changes to Chapter 4758 of the Ohio Revised Code by Section:

As of 01/03/11

| RC Section | Proposed Action | Current | Proposed Change(s) |
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| 3793.07 | Repeal | Ohio Department of Alcohol and Drug Addiction Services (ODADAS) Statute which established the process for certification or credentialing of chemical dependency counselors and alcohol and other drug prevention specialists when the credentialing process was under the Department. | It is proposed that this provision be repealed because the authority to do this now rest with the Ohio Chemical Dependency Professionals (OCDP) Board (also referred to as the Board). |
| 4757.41 | Amend | This provision establishes professions or individuals that are exempt from Chapter 4757 of the Revised Code (R.C.). | It is proposed that the reference related to the transition of the credentialing process from ODADAS to the Board and the requisite grandparenting period be eliminated since this process concluded in 2007. |
| 4758.01 | Amend | The provision establishes definitions used by the OCDP Board. | Proposed changes to this provision are intended to harmonize the section with changes to other sections. They include: <ul style="list-style-type: none"> • Add the name “independent chemical dependency counselor-clinical supervisor” • Insert actual effective date of Chapter 4758 • Clarification to the definition of scope of practice • Add definitions of “substance abuse professional” and “U.S. department of transportation drug and alcohol testing program” |
| 4758.02 | Amend | This section addresses the prohibition against the unauthorized practice or representation as chemical dependency counselor. | The following changes are proposed: <ul style="list-style-type: none"> • Strike reference to the transition of the credentialing process from ODADAS to the Board and the related grandparenting period • Add reference to the “independent chemical dependency counselor-clinical supervisor license” • Strike reference to the “certified chemical |

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| | | | <p>dependency counselor I”, “CCDC I”</p> <ul style="list-style-type: none"> • Add reference to the new “certified prevention specialist assistant,” “CPSA” level • Change language that clarifies that no person shall engage in or represent to the public that the person engages in chemical dependency counseling as a chemical dependency counselor I |
| 4758.04 | Repeal | This provision established the process by which a person could petition the Board for a delay in the expiration date of a certificate issued by ODADAS as part of the transition of the credentialing process from ODADAS to the Board | Because this provision is no longer applicable, it is proposed that this provision be repealed. |
| 4758.10 | Amend | This provision establishes the make up of the OCDP Board. | <p>The following changes are proposed:</p> <ul style="list-style-type: none"> • Add “independent chemical dependency counselor-clinical supervisor license” to describe the four individuals who hold a valid independent chemical dependency counselor license that are eligible for appointment to the Board. • Insert the effective date of Chapter 4758 of the Revised Code |
| 4758.20 | Amend | This provision establishes the Board’s authority to adopt administrative rules | <p>The proposed changes to this provision are intended to harmonize the section with changes to other related sections. They include:</p> <ul style="list-style-type: none"> • Add rule making authority regarding the administering of exams for individuals seeking to act as a substance abuse professional in a U.S. department of transportation drug and alcohol testing program • Add references to Section 4758.39, the independent chemical dependency counselor-clinical supervisor license • Add references to Section 4758.46, the |

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| | | | <p>prevention specialist assistant certificate (CPSA)</p> <ul style="list-style-type: none"> • Add references to Section 4758.47, the registered applicant (RA) certificate • Replace the reference to the time period that an individual must wait before applying for a new RA certificate • Add reference to a degree in nursing and replace quarter hours with semester hours as related to course requirements for a degree • Add authority to adopt rules related to the field of study a person's degree must be in to obtain the Certified Prevention Specialist (CPS) I and CPS II. • Add authority to adopt rules related to the number of hours a person must have to obtain the CPS II. • Add authority to adopt rules related to the training requirements for chemical dependency counseling as it relates to the initial renewal of the Chemical Dependency Counselor Assistant (CDCA) • Revise authority to adopt rules related to supervisory duties |
| 4758.21 | Amend | This provision establishes the Board's authority to collect fees. | <p>The proposed changes to this section do the following:</p> <ul style="list-style-type: none"> • Add reference to the independent chemical dependency counselor-clinical supervisor license and prevention specialist assistant certificate • Strike references to the CCDC I and RA certificates under the renewal fee provision |
| 4758.22 | Amend | This provision outlines the Board's authority in the development and use of examinations. | <p>The only proposed change to this section is the addition of a reference to the independent chemical dependency counselor-clinical supervisor license</p> |

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| | | | (LICDC-CS) |
| 4758.221 | New | This section does not currently exist | This new section establishes the Board’s authority to administer examinations for individuals seeking to act as substance abuse professionals (SAP) in a U.S. department of transportation drug and alcohol testing program. |
| 4758.23 | Amend | This provision addresses the requirement for the Board to establish codes of ethical practice and professional conduct. | The only proposed changes to this section are the addition of the LICDC-CS and CPSA. These two new levels will be subject to the Board’s appropriate codes of ethical practice and professional conduct. |
| 4758.24 | Amend | This section addresses the issuing of licenses and certificates by the Board. | The proposed amendments to this section are as follows: <ul style="list-style-type: none"> • Make an exception for provisions under a new section, 4758.241, • Add references to section 4758.39, LICDC-CS, 4758.46, CPSA and 4758.47, RA certificate • Adds that the Board will not issue a new RA certificate to an individual whose previous RA certificate has been expired for less than the period of time specified in Board rules |
| 4758.241 | New | This section does not currently exist | This new provision establishes that all current LICDCs will automatically receive the LICDC-CS credential. |
| 4758.26 | Amend | This section addresses the expiration and renewal of credentials issued by the Board. | Proposed changes to this section are as follows: <ul style="list-style-type: none"> • Eliminate reference to Section 4758.27 which addresses the renewal of the CCDC I credential • Adds a provision establishing the initial expiration for the CDCA as thirteen months • Adds CDCA renewal and restoration requirements that an individual must obtain per Section 4758.52 of the Board’s statute. |
| 4758.27 | Amend | This section addresses the Board’s authority to renew certificates issued previously by ODADAS. | Proposed changes to this section are: <ul style="list-style-type: none"> • Elimination of references to the CCDC I |

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| | | | <p>credential</p> <ul style="list-style-type: none"> • Adds the RA certificate as a certificate that the Board will not renew or restore |
| 4758.30 | Amend | This section identifies the reasons by which the Board may refuse to issue, renew or restore a license or certification. | <p>The proposed changes to this section are:</p> <ul style="list-style-type: none"> • Add the word “restore” • Add reference to the new proposed LICDC-CS and CPSA levels • Strike references to the CCDC I credential, which is no longer issued by the Board |
| 4758.39 | New | This section establishes the requirements for obtaining the LICDC-CS | Proposed changes are identified in the treatment credential comparison matrix |
| 4758.40 | Amend | This section establishes the requirements for obtaining the independent chemical dependency counselor license (LICDC) | Proposed changes are identified in the treatment credential comparison matrix |
| 4758.41 | Amend | This section establishes the requirements for obtaining the chemical dependency counselor III license (LCDC III) | Proposed changes are identified in the treatment credential comparison matrix |
| 4758.42 | Amend | This section establishes the requirements for obtaining the chemical dependency counselor II license (LCDC II) | Proposed changes are identified in the treatment credential comparison matrix |
| 4758.43 | Amend | This section establishes the requirements for obtaining the CDCA | Proposed changes are identified in the treatment credential comparison matrix |
| 4758.44 | Amend | This section establishes the requirements for obtaining the OCPS II | Proposed changes are identified in the prevention certification comparison matrix |
| 4758.45 | Amend | This section establishes the requirements for obtaining the OCPS I | Proposed changes are identified in the prevention certification comparison matrix |
| 4758.46 | New | This section establishes the requirements for obtaining the CPSA | Proposed requirements are identified in the prevention certification comparison matrix |
| 4758.47 | New | This section establishes the requirements for obtaining the RA certificate | Proposed requirements are identified in the prevention certification comparison matrix |
| 4758.51 | Amend | This section establishes continuing education requirements for those holding a license or certificate issued by the Board | Changes to this section are the establishment of an exception for the initial CDCA certification and requiring twenty hours of continuing education for |

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| | | | the prevention specialist assistant certificate. Note that the education hour requirements for the renewal of the CDCA certificate are addressed in R.C. 4758.26 and 4758.52 |
| 4758.52 | New | This section establishes the additional education requirements that must be obtained after issuance of the initial CDCA certification. | This new provision requires individuals who hold an initial CDCA to complete at least thirty additional hours of training in chemical dependency counseling in order to have their certificate renewed |
| 4758.53 | Repeal | RA documenting qualification to take examination | The Board is proposing repeal of this section so that the RA certificate/status is no longer a prerequisite for taking the OCPS certification exam or obtaining the OCPS certification. Additionally, it is proposed in the new R.C. 4758.47 that the RA be established as a stand alone level. |
| 4758.54 | New | This section establishes the authority of LICDC-CS | This new section establishes the scope of practice for the LICDC-CS level. In addition to practicing chemical dependency counseling, the LICDC-CS may also: <ul style="list-style-type: none"> • Diagnosis and treat chemical dependency conditions; • Perform treatment planning, assessment, crisis intervention, individual and group counseling, case management and education services as they relate to abuse of and dependency on alcohol and other drugs; • Provide clinical supervision of chemical dependency counseling; • Refer individuals with non-chemical dependency conditions to appropriate sources of help |
| 4758.55 | Amend | This section establishes the authority of a LICDC | The proposed change to this section is to remove the LICDC's ability to independently clinically supervise chemical dependency counseling. However, a LICDC will be able to provide clinical |

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| | | | <p>supervision of chemical dependency counseling under the supervision of any of the following:</p> <ul style="list-style-type: none"> • LICDC-CS • Licensed medical doctor or doctor of osteopathic medicine • Licensed psychologist • Registered nurse • Professional clinical counselor • Independent social worker • Independent marriage and family therapist <p>The intent is to allow LICDC's to gain the necessary clinical supervision experience required to obtain the LICDC-CS level</p> |
| 4758.56 | Amend | This section establishes the authority of a LCDC III | <p>This provision is amended to move the list of those who can supervise the diagnosing of chemical dependency conditions by the LCDC III to a new section, R.C. 4758.561. The section is further amended to add a provision that the LCDC III can provide clinical supervision of chemical dependency conditions under the supervision of any of the professionals listed in R.C. 4758.561. The intent is to allow the LCDC III to gain the necessary clinical supervision experience required to obtain the LICDC-CS level.</p> |
| 4758.561 | New | This section identifies what professionals may provide supervision of a LCDC III for the purposes of diagnosis and clinical supervision | <p>This section identifies the professionals that may supervise an LCDC III for the purposes of diagnosis and clinical supervision. They are:</p> <ul style="list-style-type: none"> • LICDC-CS • Licensed medical doctor or doctor of osteopathic medicine • Licensed psychologist • Registered nurse • Professional clinical counselor |

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| | | | <ul style="list-style-type: none"> • Independent social worker • Independent marriage and family therapist |
| 4758.58 | Repeal | This section establishes the authority of a CCDC I | This section is proposed for repeal because the Board no longer issues this certification |
| 4758.59 | Amend | This section establishes the authority of a CDCA | The proposed changes to this provision are to add LICDC-CS and independent marriage and family therapist as professionals who can supervise a CDCA |
| 4758.61 | Amended | This section establishes the authority of a CPSA and RA | <p>This section is amended to do the following:</p> <ul style="list-style-type: none"> • Add the CPSA to the provision • Add the LICDC-CS and independent marriage and family therapist as professionals who can supervise a CPSA and RA • Remove the LCDC II as authorized to supervise a CPSA and RA |
| 4758.70 | Amended | Currently, this section states that Chapter 4758 of the R.C. does not authorize any one to practice psychology or professional counseling or social work | It is proposed to amend this section to include the practice of marriage and family therapy to the list of those practices not authorized by Chapter 4758 of the R.C. |