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4758-2-01 Definitions, abbreviations and titles.

- (A) "Accredited school or university" means a school or university accredited by an accrediting agency accepted by the Ohio board of regents.
- (B) "Alcohol and other drug clinical counseling principles, methods, or procedures" means an approach to chemical dependency counseling that emphasizes the chemical dependency counselor's role in systematically assisting clients through all of the following: analyzing background and current information, exploring possible solutions, developing and providing a treatment plan, in the case of independent chemical dependency counselor or chemical dependency counselor III only, diagnosing chemical dependency conditions. "Alcohol and other drug clinical counseling principles, methods, or procedures" includes counseling, assessing, consulting, and referral as they relate to chemical dependency conditions. "Alcohol and other drug clinical counseling principles, methods or procedures" may also include the twelve core functions and shall include other accepted principles of counseling, as such principles may apply to the treatment of individuals with substance abuse or dependence problems. The methods or procedures of counseling may include those specific categories of service or intervention as defined by ODADAS or other regulating or funding entities, so long as such procedures are applied to persons with substance abuse or dependence and fall within the scopes of practice defined in Chapter 4758. of the Revised Code.
- (C) "Alcohol and other drug prevention services" means a planned process of strategies and activities designed to preclude the onset of the use of alcohol and other drugs, reduce problematic use of alcohol and other drugs, or both.
- (D) "Behavioral science degree" is defined as a course of study at an accredited school or university, which includes the study of human behavior or nursing as a focus and requires at least twenty-seven semester credit hours of the following courses or additional courses as approved by the board: human services, addictions, chemical dependency, social work, criminal justice, corrections, psychology, child development, counseling, personnel and industrial relations, vocational rehabilitation counseling, sociology.
- (E) "Board" means the chemical dependency professionals board.
- (F) "CDCA" means chemical dependency counselor assistant.
- (G) "Chemical dependency conditions" 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 the effective date of this rule.
- (H) "Chemical dependency counseling" means rendering or offering to render to individuals, groups or the public a counseling service involving the application of alcohol and other drug clinical counseling principles, methods or procedures to assist individuals who are abusing or dependent on alcohol or other drugs.
- (I) "Chemical dependency counselor" means a person who holds a chemical dependency counselor certificate or license from the board.
- (J) "Client" means any person or entity seeking or assigned the services of a CDCA, LCDC II, LCDC III or LICDC, or LICDC-CS regardless of the chemical dependency counselor's work setting.
- (K) "Code of Ethics" is the minimum standard of practice required of chemical dependency counselors, prevention specialists or clinical supervisors.

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(L) "Complainant" means a person who files a formal complaint with the board against an applicant, certificate holder or licensee under the board's jurisdiction.

(M) "Consumer" means any person or entity seeking or assigned the services of an RA, OCPSA, OCPS I, or OCPS II regardless of the prevention professional's work setting.

(N) "Credential/credentialed" means a valid license or certificate to practice chemical dependency counseling or alcohol or other drug prevention under Chapter 4758. of the Revised Code.

(O) "Dual relationship" is defined as any financial, social, emotional, supervisory, political, administrative, legal or sexual relationship between a licensee or certificate holder and their client/consumer which might impair professional judgment or increase the risk of client/consumer exploitation.

(P) "Gambling disorder" means a persistent and recurring maladaptive gambling behavior that is 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 the effective date of this section.

~~(P)~~(Q) "Hearing officer" means a person appointed by the board who presides over an appeal hearing.

~~(Q)~~(R) "Human behavior related studies" means a course of study at an accredited school or university in one of the following areas or additional areas as approved by the board as it relates to prevention certification: mass communications, interpersonal relations, developmental psychology, social marketing, child development, counseling, criminology, pastoral counseling, education, health promotion, leisure studies, nursing, psychology, public health, rehabilitative services, social work, socio-cultural anthropology, sociology, public administration, communications, marketing.

~~(R)~~(S) IC&RC means the international certification and reciprocity consortium.

~~(S)~~(T) "Impaired or impairment" is defined by the presence of the disorder of alcoholism, substance abuse, mental illness or other debilitating conditions.

~~(T)~~(U) "LCDC II" means licensed chemical dependency counselor II.

~~(U)~~(V) "LCDC III" means licensed chemical dependency counselor III.

~~(V)~~(W) "LICDC" means licensed independent chemical dependency counselor.

~~(W)~~(X) "LICDC-CS" means licensed independent chemical dependency counselor clinical supervisor.

~~(X)~~(Y) "OCPSA" means Ohio certified prevention specialist assistant.

~~(Y)~~(Z) "OCPS I" means Ohio certified prevention specialist I.

~~(Z)~~(AA) "OCPS II" means Ohio certified prevention specialist II.

~~(AA)~~(BB) "One quarter hour" equals ten clock hours.

~~(BB)~~(CC) "One semester hour" equals fifteen clock hours.

~~(CC)~~(DD) "One year of work experience" means two thousand hours.

~~(DD)~~(EE) "Prevention related field of study" is defined as a course of study at an accredited school or university

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in one of the following areas or additional areas as approved by the board as it relates to prevention certification: child development, counseling, criminology, pastoral counseling, education, health promotion, leisure services, nursing, psychology, public health, rehabilitative services, social work, socio-cultural anthropology, sociology, public administration, communications, marketing.

~~(EE)~~ (FF) "RA" means a registered applicant for prevention certification.

~~(FF)~~ (GG) "RCH" means recognized clock hours.

~~(GG)~~ (HH) "Reciprocity" means the ability to transfer an individual's credentials from one IC&RC member board to another.

~~(HH)~~ (II) "Reprimand" means a sanction that is a formal, written, published reproof issued to a respondent whom the board has determined has breached the code of ethics.

~~(II)~~ (JJ) "Respondent" means an applicant, certificate holder or licensee who becomes the subject of a formal complaint alleging that the individual has breached the board's code of ethics.

~~(JJ)~~ (KK) "Revocation" means a sanction resulting in the complete forfeiture of the certificate or license held.

~~(KK)~~ (LL) "Suspension" means a sanction resulting in the temporary forfeiture of the certificate or license for a period of time to be determined by the board.

~~(LL)~~ (MM) "Twelve core functions" are defined as screening, intake, orientation, assessment, treatment planning, counseling, case management, crisis intervention, client education, referral, report and record keeping, consultation.

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4758-3-01 Fees.

(A) License fees shall be established by the board in amounts not to exceed the maximum allowable under Chapter 4758. of the Revised Code. Fees are subject to change by action of the board, the controlling board, and/or the general assembly.

- (1) Fees shall be paid by check, credit card, cash or money order. Checks and money orders shall be made payable to the treasurer, state of Ohio.
- (2) Fees shall be submitted to the board office at the time of the initial application.
- (3) Fees are non-refundable.
- (4) The fees are as follows:

Application Fees

Application for CDCA, LCDC II, LCDC III, LICDC, LICDC-CS, OCPSA, OCPS I or OCPS II or gambling disorder endorsement	\$50.00
Conversion Application	\$35.00
Temporary Credential of Active Duty Service Member Spouses Application	\$25.00
Reciprocal Certificate Application	\$50.00
Registered Applicant	\$10.00
Renewal Application	\$150.00
Renewal Application submitted after the license or certificate lapse date	\$175.00
Senior Citizen Renewal Application	\$55.00
Senior Citizen Renewal Application submitted after the license or certificate lapse date	\$80.00
Renewal Application if both Prevention and Counselor Credentialed	\$100.00 per credential
Renewal Application, if both Prevention and Counselor Credentialed, submitted after the license and/or certificate lapse date	\$125.00 per credential
Renewal Application for Temporary Credential of Active Duty Service Member Spouses	\$50.00
RCH Program Sponsor Application	\$5.00 per contact hour up to a maximum of \$60.00
RCH Provider Status Application	\$400.00 per one year or \$700.00 per two years
Master's Accreditation Application	\$300.00

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Application Fees

Master's Accreditation	\$3,000.00
Master's Accreditation Renewal	\$3,000.00

Examination Fees

IC&RC Alcohol & Drug Counselor (ADC) Written Examination	\$100.00
IC&RC Alcohol & Drug Counselor (ADC) Computer Based Test (CBT)	\$150.00
IC&RC Clinical Supervisor (CS) Written Examination	\$100.00
IC&RC Clinical Supervisor (CS) Computer Based Test (CBT)	\$150.00
IC&RC Prevention Specialist (PS) Written Examination	\$100.00
IC&RC Prevention Specialist (PS) Computer Based Test (CBT)	\$150.00
Substance Abuse Professional (SAP) Examination	\$120.00
Examination Rescheduling Fee	\$25.00

Other Fees

Inactive Status Holding Fee	\$15.00
Replacement/Duplicate Certificate/License	\$10.00

- (5) A twenty dollar late fee shall be charged for any program sponsor application not received by the board at least thirty days before the event.
- (6) There shall be a twenty dollar return check fee for all checks not accepted for deposit.

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4758-4-01 Formal application for licensure or certification.

- (A) All applicants for initial licensure or certification as a chemical dependency counselor assistant, licensed chemical dependency counselor II, licensed chemical dependency counselor III, licensed independent chemical dependency counselor, licensed independent chemical dependency counselor clinical supervisor, registered applicant, Ohio prevention specialist assistant, Ohio prevention specialist I, ~~or~~ Ohio prevention specialist II, [or gambling disorder endorsement](#) shall file with the executive director of the board a written application, signed and duly notarized, on a form prescribed by the board.
- (1) The formal application packet contains all documentation and reference forms necessary to be credentialed at a particular level and consists of, at a minimum, the following:
- (a) Formal application.
 - (b) Documentation of hours of volunteer or paid work experience. This includes related position descriptions that are signed by the supervisor.
 - (c) Documentation of required levels of education and training. This includes a copy of the transcript(s) of courses taken, certificates of attendance at appropriate workshops, and letters of participation.
 - (d) Verification of applicant's required practical experience hours. This includes submission of the form that verifies the accomplishment of the required practical experience.
 - (e) The required non-refundable fee.
 - (f) Documentation of felony charges or convictions.
 - (i) Felony charges or convictions shall be reviewed by the board before the application process can proceed.
 - (ii) Factors upon which review of these charges or convictions will be based may include:
 - (a) The nature of the charge or conviction.
 - (b) The time lapse since the charge or conviction.
 - (c) The related circumstances, including active addiction.
 - (d) The documented changes in the applicant's life since the charge or conviction.
 - (e) Any additional information as requested from the applicant including a complete criminal background check.
 - (iii) Applicants will not be considered if:
 - (a) Currently incarcerated for a felony conviction.
 - (b) Currently on probation or parole.
 - (c) Offense was drug or alcohol related and occurred less than one year ago.
- (2) The board shall review the formal application packet. As a result of this review, the board shall notify the

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applicant of one of the following:

- (a) An approval of a certification or license,
- (b) An approval to schedule for examination(s),
- (c) The need for additional documentation, or
- (d) Proposed denial of the application.

(B) Examinations:

- (1) Written examinations are issued on an international basis and test required knowledge and skills. The board shall provide for the administration of the examinations in the state of Ohio.
- (2) Exams are scored by an outside testing company approved by the board.
 - (a) Score reports are sent to the candidates by the board.
 - (b) Scores are broken down by categories indicating areas of strength and weakness.
- (3) Upon fulfillment of the required eligibility requirements and completion of the appropriate process, as outlined in this rule, the board will notify applicants of scheduling procedures and other relevant information. Applicants are required to take the examination within one year from the date of approval of the formal application.
- (4) Individuals with disabilities and/or religious obligations that require modifications to the test administration may make a written request for modification to the board no fewer than forty-five days prior to the scheduled test date. The candidate shall provide documentation of the disability from a health care professional or documentation of the religious issue upon written request.
- (5) The IC&RC alcohol and drug counselor (ACD) examination is available in Spanish . Candidates may contact the board for information related to taking the examination in Spanish.

(C) Conversion applications:

- (1) Individuals who hold a valid license or certificate with the board may convert their credential to a higher level, when applicable, by completing the appropriate conversion application.
 - (a) Licensees or certificate holders shall fulfill all eligibility requirements for the level to which they are applying. These requirements shall be documented according to the procedures outlined in the conversion application packet.

(D) Endorsement applications:

- (1) Individuals who hold a valid LCDC II, LCDC III, LICDC or LICDC-CS with the board may apply for a gambling disorder endorsement by completing the appropriate endorsement application.
- (2) Licensees shall fulfill all eligibility requirements for the endorsement. These requirements shall be documented according to the procedures outlined in the endorsement application packet.

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4758-5-11 **Requirements for gambling disorder endorsements.**

To receive a gambling disorder endorsement, an individual shall complete the following:

(A) Submission of formal application.

(B) Verification of an active independent chemical dependency counselor, chemical dependency counselor III, or chemical dependency counselor II license issued by the board.

(C) Thirty hours of gambling disorder education completed in the following areas:

(1) Knowledge of gambling disorder

(2) Gambling counseling practice

(3) Special issues in gambling treatment

(4) Professionalism in gambling treatment

(D) One hundred hours of compensated work or supervised internship in gambling disorder direct clinical experience.

(1) Clinical experience shall be supervised by one of the following:

(a) LISW with demonstrated competency in gambling disorder treatment

(b) LPCC with demonstrated competency in gambling disorder treatment

(c) Licensed Psychologist with demonstrated competency in gambling disorder treatment

(d) LICDC-CS with demonstrated competency in gambling disorder treatment

(e) LICDC-CS with gambling disorder endorsement

~~(1)~~ (2) An individual may be issued an initial gambling disorder endorsement without having complied with division (D) of this section, but the individual shall comply with division (D) of this section at the time of their next renewal.

~~(2)~~ (3) An individual who fails to comply with (D)(1) is not entitled to renew the endorsement.

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4758-6-01 Scope of practice for chemical dependency counselor assistants (CDCA).

- (A) An individual holding a valid chemical dependency counselor assistant certificate may do both of the following in addition to practicing chemical dependency counseling:
- (1) Perform treatment planning, assessment, crisis intervention, individual and group counseling, case management, and education services as they relate to abuse of or dependency on alcohol and other drugs;
 - (2) Refer individuals with nonchemical dependency conditions to appropriate sources of help.
- (B) An individual holding a valid chemical dependency counselor assistant certificate may practice chemical dependency counseling and perform the tasks specified in paragraph (A) of this rule only while under the supervision of any of the following:
- (1) An independent chemical dependency counselor-clinical supervisor, independent chemical dependency counselor or chemical dependency counselor III licensed under this chapter;
 - (2) An individual authorized under Chapter 4731. of the Revised Code to practice medicine and surgery or osteopathic medicine and surgery;
 - (3) A psychologist licensed under Chapter 4732. of the Revised Code;
 - (4) A registered nurse licensed under Chapter 4723. of the Revised Code if such supervision is consistent with the scope of practice of the registered nurse, or an individual authorized to practice as a certified nurse practitioner or clinical nurse specialist under Chapter 4723. of the Revised Code.
 - (5) A professional clinical counselor, independent social worker, or independent marriage and family therapist licensed under Chapter 4757. of the Revised Code if such supervision is consistent with the scope of practice of the professional clinical counselor, independent social worker, or independent marriage and family therapist.
- (C) Perform tasks identified and listed in paragraph (KK) of rule 3793:2-1-08 of the Administrative Code as they relate to abuse of or dependency on alcohol and other drugs. These tasks may only be performed while under the supervision of one of those individuals designated in paragraph (K) of rule 3793:2-1-05 of the Administrative Code.
- (D) A chemical dependency counselor assistant may not practice as an individual practitioner.

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4758-6-04 Scope of practice for licensed chemical dependency counselors III (LCDC III).

- (A) In addition to practicing chemical dependency counseling, an individual holding a valid chemical dependency counselor III license may do all of the following:
- (1) Diagnose chemical dependency conditions under the supervision of any of the following:
 - (a) An independent chemical dependency counselor - clinical supervisor licensed under Chapter 4758. of the Revised Code;
 - (b) An individual authorized under Chapter 4731. of the Revised Code to practice medicine and surgery or osteopathic medicine and surgery;
 - (c) A psychologist licensed under Chapter 4732. of the Revised Code;
 - (d) A registered nurse licensed under Chapter 4723. of the Revised Code if such supervision is consistent with the scope of practice of the registered nurse [or an individual authorized to practice as a certified nurse practitioner or clinical nurse specialist under Chapter 4723. of the Revised Code.](#)
 - (e) A professional clinical counselor, independent social worker, or independent marriage and family therapist licensed under Chapter 4757. of the Revised Code if such supervision is consistent with the scope of practice of the professional clinical counselor, independent social worker, or independent marriage and family therapist.
 - (2) Treat chemical dependency conditions;
 - (3) 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;
 - (4) Provide treatment services identified and listed in paragraph (OO) of rule 3793:2-1-08 of the Administrative Code as they relate to abuse of and dependency on alcohol and other drugs.
 - (5) Provide clinical supervision of chemical dependency counseling under the supervision of any of the following:
 - (a) An independent chemical dependency counselor-clinical supervisor licensed under Chapter 4758. of the Revised Code;
 - (b) An individual authorized under Chapter 4731. of the Revised Code to practice medicine and surgery or osteopathic medicine and surgery;
 - (c) A psychologist licensed under Chapter 4732. of the Revised Code;
 - (d) A registered nurse licensed under Chapter 4723. of the Revised Code if such supervision is consistent with the scope of practice of the registered nurse [or an individual authorized to practice as a certified nurse practitioner or clinical nurse specialist under Chapter 4723. of the Revised Code.](#)
 - (e) A professional clinical counselor, or independent social worker, or independent marriage and family therapist licensed under Chapter 4757. of the Revised Code if such supervision is consistent with the scope of practice of the professional clinical counselor, or independent social worker, or

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independent marriage and family therapist.

(6) Supervise treatment services identified and listed in paragraph (OO) of rule 3793:2-1-08 of the Administrative Code under the supervision of one of the individuals in paragraph (K) of rule 3793:2-1-05 of the Administrative Code as they relate to abuse of and dependency on alcohol and other drugs.

(7) Refer individuals with nonchemical dependency conditions to appropriate sources of help.

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

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4758-6-05 Scope of practice for licensed independent chemical dependency counselors (LICDC).

In addition to practicing chemical dependency counseling, an individual holding a valid independent chemical dependency counselor license may do all of the following:

- (A) Diagnose and treat chemical dependency conditions;
- (B) 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;
- (C) Provide treatment services identified and listed in paragraph (OO) of rule 3793:2-1-08 of the Administrative Code as they relate to abuse of and dependency on alcohol and other drugs.
- (D) Provide clinical supervision of chemical dependency counseling under the supervision of any of the following:
 - (1) An independent chemical dependency counselor-clinical supervisor licensed under Chapter 4758. of the Revised Code;
 - (2) An individual authorized under Chapter 4731. of the Revised Code to practice medicine and surgery or osteopathic medicine and surgery;
 - (3) A psychologist licensed under Chapter 4732. of the Revised Code;
 - (4) A registered nurse licensed under Chapter 4723. of the Revised Code if such supervision is consistent with the scope of practice of the registered nurse or an individual authorized to practice as a certified nurse practitioner or clinical nurse specialist under Chapter 4723. of the Revised Code.
 - (5) A professional clinical counselor, or independent social worker, or independent marriage and family therapist licensed under Chapter 4757. of the Revised Code if such supervision is consistent with the scope of practice of the professional clinical counselor, or independent social worker, or independent marriage and family therapist.
- (E) Supervise treatment services identified and listed in paragraph (PP) of rule 3793:2-1-08 of the Administrative Code under the supervision of one of the individuals in paragraph (K) of rule 3793:2-1-05 of the Administrative Code as they relate to abuse of and dependency on alcohol and other drugs.
- (F) Refer individuals with nonchemical dependency conditions to appropriate sources of help.

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4758-6-07 Scope of practice for registered applicants (RA).

An individual who holds a valid registered applicant certificate issued under Chapter 4758. of the Revised Code may engage in the practice of alcohol and other drug prevention services under the supervision of any of the following:

- (A) A prevention specialist II or prevention specialist I certified under Chapter 4758. of the Revised Code;
- (B) An independent chemical dependency counselor-clinical supervisor, an independent chemical dependency counselor, or a chemical dependency counselor III licensed under Chapter 4758. of the Revised Code;
- (C) An individual authorized under Chapter 4731. of the Revised Code to practice medicine and surgery or osteopathic medicine and surgery;
- (D) A psychologist licensed under Chapter 4732. of the Revised Code;
- (E) A registered nurse licensed under Chapter 4723. of the Revised Code [or an individual authorized to practice as a certified nurse practitioner or clinical nurse specialist under Chapter 4723. of the Revised Code;](#)
- (F) A professional clinical counselor, a professional counselor, an independent social worker, a social worker, an independent marriage and family therapist, or marriage and family therapist licensed under Chapter 4757. of the Revised Code;
- (G) A school counselor licensed by the department of education pursuant to section 3319.22 of the Revised Code;
- (H) A health education specialist certified by the national commission for health education credentialing.

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4758-6-08 Scope of practice for Ohio certified prevention specialist assistant (OCPSA).

An individual who holds a valid prevention specialist assistant certificate issued under Chapter 4758. of the Revised Code may engage in the practice of alcohol and other drug prevention services under the supervision of any of the following:

- (A) A prevention specialist II or prevention specialist I certified under Chapter 4758. of the Revised Code;
- (B) An independent chemical dependency counselor-clinical supervisor, an independent chemical dependency counselor, or a chemical dependency counselor III licensed under Chapter 4758. of the Revised Code;
- (C) An individual authorized under Chapter 4731. of the Revised Code to practice medicine and surgery or osteopathic medicine and surgery;
- (D) A psychologist licensed under Chapter 4732. of the Revised Code;
- (E) A registered nurse licensed under Chapter 4723. of the Revised Code or an individual authorized to practice as a certified nurse practitioner or clinical nurse specialist under Chapter 4723. of the Revised Code;
- (F) A professional clinical counselor, a professional counselor, an independent social worker, a social worker, an independent marriage and family therapist, or marriage and family therapist licensed under Chapter 4757. of the Revised Code;
- (G) A school counselor licensed by the department of education pursuant to section 3319.22 of the Revised Code;
- (H) A health education specialist certified by the national commission for health education credentialing.

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4758-6-09 Scope of practice for Ohio certified prevention specialists I (OCPS I).

An individual who holds a valid prevention specialist I certificate issued under Chapter 4758. of the Revised Code may engage in the practice of ~~alcohol and other drug~~ prevention services.

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4758-6-10 Scope of practice for Ohio certified prevention specialists II (OCPS II).

An individual who holds a valid prevention specialist II certificate issued under Chapter 4758. of the Revised Code may engage in the practice of ~~alcohol and other drug~~ prevention services.

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4758-6-11 **Scope of practice for chemical dependency counselors II (LCDC II) with gambling disorder endorsement.**

(A) An individual who holds a chemical dependency counselor II license and a gambling disorder endorsement may do all of the following:

(1) Treat gambling disorder conditions;

(2) Perform treatment planning, assessment, crisis intervention, individual and group counseling, case management, and educational services insofar as those functions relate to gambling disorders; and

(3) Refer individuals with other gambling conditions to appropriate sources of help.

(B) An individual holding a chemical dependency II license shall not practice as an individual practitioner.

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4758-6-12 **Scope of practice for chemical dependency counselors III (LCDC III) with gambling disorder endorsement.**

(A) An individual who holds a chemical dependency counselor III license and a gambling disorder endorsement may do all of the following:

(1) Treat gambling disorder conditions;

(2) Diagnose gambling disorder conditions under supervision;

(3) Perform treatment planning, assessment, crisis intervention, individual and group counseling, case management, and educational services insofar as those functions relate to gambling disorders;

(4) Supervise gambling disorder counseling under the supervision of any of the following:

(a) an independent chemical dependency counselor or independent chemical dependency counselor-clinical supervisor licensed under Chapter 4758. of the Revised Code;

(b) an individual authorized to practice medicine and surgery or osteopathic medicine and surgery under Chapter 4731. of the Revised Code;

(c) a psychologist licensed under Chapter 4732. of the Revised Code;

(d) an individual authorized to practice as a certified nurse practitioner, clinical nurse specialist or a registered nurse licensed under Chapter 4723. of the Revised Code;

(e) a professional clinical counselor, independent social worker, or independent marriage and family therapist licensed under Chapter 4757. of the Revised Code.

(5) Refer individuals with other conditions to appropriate sources of help.

(B) An individual holding a chemical dependency counselor III license shall not practice as an individual practitioner.

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4758-6-13 **Scope of practice for independent chemical dependency counselors (LICDC) with gambling disorder endorsement.**

(A) An individual who holds an independent chemical dependency counselor license and a gambling disorder endorsement may do all of the following:

(1) Diagnose and treat gambling disorder conditions;

(2) Perform treatment planning, assessment, crisis intervention, individual and group counseling, case management, and educational services insofar as those functions relate to gambling disorders;

(3) Supervise gambling disorder counseling under the supervision of any of the following:

(a) an independent chemical dependency counselor-clinical supervisor licensed under Chapter 4758. of the Revised Code;

(b) an individual authorized to practice medicine and surgery or osteopathic medicine and surgery under Chapter 4731. of the Revised Code;

(c) a psychologist licensed under Chapter 4732. of the Revised Code;

(d) an individual authorized to practice as a certified nurse practitioner, clinical nurse specialist or a registered nurse licensed under Chapter 4723. of the Revised Code;

(e) a professional clinical counselor, independent social worker, or independent marriage and family therapist licensed under Chapter 4757. of the Revised Code.

(4) Refer individuals with other conditions to appropriate sources of help.

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4758-6-14 **Scope of practice for independent chemical dependency counselors-clinical supervisor (LICDC-CS) with gambling disorder endorsement.**

(A) An individual who holds an independent chemical dependency counselor-clinical supervisor license and a gambling disorder endorsement may do all of the following:

(1) Diagnose and treat gambling disorder conditions;

(2) Perform treatment planning, assessment, crisis intervention, individual and group counseling, case management, and educational services insofar as those functions relate to gambling disorders;

(3) Supervise gambling disorder counseling; and

(B) Refer individuals with other conditions to appropriate sources of help.

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4758-8-01 Code of ethics for chemical dependency counselors.

- (A) The following rules of conduct set forth the minimum standards of conduct which all applicants for licensure or certification shall follow and establishes the minimum standard of practice for certified chemical dependency counselor assistants (CDCA), licensed chemical dependency counselors II (LCDCII), licensed chemical dependency counselors III (LCDCIII), licensed independent chemical dependency counselors (LICDC), ~~and~~ licensed independent chemical dependency counselors-clinical supervisors (LICDC-CS), and those licensees who carry the gambling disorder endorsement.
- (B) A violation of these rules of ethical practice and professional conduct constitutes unprofessional conduct and is sufficient reason for a reprimand, suspension, revocation or for restrictions to be placed on a license or certificate or for the denial of the initial license or certificate or renewal, or reinstatement of a license or certificate.
- (1) Professional standards:
- (a) The licensee or certificate holder shall meet and comply with all terms, conditions or limitations of licensure or certification.
 - (b) The licensee or certificate holder shall recognize limitations of his or her competency based on professional qualifications, education and experience and shall not offer services or use techniques outside his or her professional competency or scope of practice defined by rules 4758-6-01 to 4758-6-05 of the Administrative Code.
 - (c) A licensee or certificate holder shall obtain appropriate consultation or make an appropriate referral when the client's problem is beyond the licensee or certificate holder's area of training, expertise, competency or scope of practice.
 - (d) The licensee or certificate holder shall refer clients to a person or agency that the licensee or certificate holder knows is qualified by training, experience, certification or license to provide such professional services.
 - (e) The licensee or certificate holder shall not participate in discrimination on the basis of race, ethnicity, color, sex, sexual orientation, religion, age, national ancestry, socioeconomic status, political belief, psychiatric or psychological impairment, disability according to "Title VII of the Civil Rights Act of 1964," HIV/AIDS status, the amount of previous therapeutic or treatment occurrences or against other persons that could be subject to discrimination but are not expressly protected by state or federal law.
 - (f) The licensee or certificate holder shall be aware of and comply with all applicable state and federal guidelines, regulations, statutes and agency policies including, but not limited, to confidentiality.
 - (g) In general, in chemical dependency and gambling disorder counseling, the best interest of the client is considered to be of paramount importance in making decisions regarding treatment. The "best interest" of the client would reflect these things that would most benefit the client economically, socially, vocationally and in terms of freedom from external restrictions. However, there may exist in the context of chemical dependency or gambling disorder treatment certain protocols, restrictions, or arrangements which are contrary to what clients would consider to be in their best interest. There

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may also be circumstances in which agency philosophy or orientation or the personal beliefs of the counselor may influence decisions regarding the client's treatment. When such circumstances or restrictions are present, they should be disclosed and explained to the client unless such disclosure is expressly prohibited or would clearly violate the safety, rights or interests of another person.

- (h) In the presence of professional conflict, the licensee or certificate holder shall primarily be concerned with the welfare of the client.
 - (i) The licensee or certificate holder shall respect the integrity and protect the welfare of the client and shall not engage in any action that violates the civil or legal rights of clients.
 - (j) The licensee or certificate holder shall maintain an objective and non-possessive relationship with those he or she serves and shall not exploit them sexually, emotionally, financially or in any way that could create a dual relationship.
 - (k) The licensee or certificate holder shall not place an individual in any activity or setting where such participation could harm the individual.
 - (l) The licensee or certificate holder shall not offer professional services to a client in chemical dependency [or gambling disorder](#) counseling with another professional except with the knowledge of the other professional or after the termination of the client relationship with the other professional.
 - (m) A licensee or certificate holder shall terminate a chemical dependency [or gambling disorder](#) counseling or consulting relationship when it is reasonably clear to the licensee or certificate holder that the client is not benefiting from it.
 - (n) A licensee or certificate holder shall not discontinue professional services to a client unless:
 - (i) Services have been completed;
 - (ii) The client requests the discontinuation;
 - (iii) Alternative or replacement services are arranged; or
 - (iv) The client is given reasonable opportunity to arrange alternative or replacement services.
 - (o) A licensee or certificate holder shall not physically or verbally abuse or threaten clients, family members of clients, ex-clients or other persons encountered in professional settings.
 - (p) A licensee or certificate holder shall not use derogatory language in their written or verbal communications to or about clients, ex-clients or family members of clients or ex-clients.
- (2) Unlawful conduct:
- (a) A conviction for a felony in the state of Ohio or any act in another state that would constitute a felony in Ohio shall be grounds for disciplinary action. The board may also discipline a licensee or certificate holder who is convicted of a misdemeanor which relates to the licensee or certificate holder's ability to practice chemical dependency [or gambling disorder](#) counseling.

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(3) Fraud related conduct:

- (a) The licensee or certificate holder shall not make any misrepresentation or false statement to the board.
- (b) A licensee or certificate holder shall not use a title, designation, credential, license, firm name, letterhead, publication, term, title or document which states or implies an ability, relationship or qualification the licensee or certificate holder is not qualified to use or does not exist.
- (c) The licensee or certificate holder shall not practice under a false name or under a name other than the name in which his or her certificate/license is held.
- (d) The licensee or certificate holder shall not sign or issue in the licensee or certificate holder's capacity, any document or statement that he or she knows to contain either a false or misleading statement.
- (e) The licensee or certificate holder shall not produce, publish, create, or partake in the creation of any false, deceptive or misleading advertisement.
- (f) The licensee or certificate holder shall assign appropriate credit to published material.
- (g) A licensee or certificate holder shall not falsify, fraudulently amend, knowingly make incorrect entries or fail to make timely essential entries into the client records.
- (h) A licensee or certificate holder shall not condone, partake, or assist in billing irregularities or fraud with respect to grants, insurance companies or direct billing.
- (i) A licensee or certificate holder shall not bill for services that are not rendered.
- (j) A licensee or certificate holder shall not aid or abet another person in misrepresenting professional credentials or engaging in illegal or unethical practice.
- (k) A licensee or certificate holder shall not provide services under the signature of their license or certificate while said license or certificate is in a lapsed, inactive or expired status.
- (l) A licensee or certificate holder shall not engage in deceptive behavior in a professional setting whether it is to advance their professional standing, avoid disciplinary action or for any other reason.

(4) Discipline in other jurisdictions:

- (a) Any denial, suspension, revocation, probation or other restriction or discipline on certification, license or other authorization to practice issued by any certification authority or any state, province, territory, tribe or other federal government shall be regarded by the board as an ethics complaint and shall be reported to the board.

(5) Cooperation with the board:

- (a) The licensee or certificate holder shall cooperate in any investigation conducted pursuant to this code of ethics and shall not interfere with an investigation or a disciplinary proceeding or other legal action.
- (b) The licensee or certificate holder shall report any violation of this code of ethics to the board.
- (c) In submitting information to the board, a licensee or certificate holder shall comply with any

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requirements pertaining to the disclosure of client information established by federal or state law or regulation.

(6) Client relationships:

- (a) A licensee or certificate holder shall not develop, implement or maintain exploitive relationships (dual relationships) with current or past clients.
- (b) A licensee or certificate holder shall not enter into a chemical dependency or gambling disorder counseling relationship with members of his or her own family, friends or close associates or others who might be jeopardized by such a dual relationship.
- (c) A licensee or certificate holder shall avoid multiple relationships and conflicts of interest with any current or past clients, family members of current or past clients or other persons encountered in a professional setting which are not in the best interest of the client and might impair professional judgment or which increase the risk of client exploitation which includes but is not limited to accepting gifts, bartering for services, accepting free services or accepting discounts on services.

(7) Sexual misconduct:

- (a) A licensee or certificate holder shall neither engage in any form of sexual conduct or behavior with clients, nor engage in any form of sexual conduct or behavior with former client for two years, at a minimum, after the cessation or termination of professional services within the client's treatment continuum. A licensee or certificate holder shall never engage in a sexual relationship with a former client if such relationship is not in the best interest of the client or increases the risk of client exploitation. The prohibition shall apply with respect to any client of the treatment provider, which employs or retains the licensee or certificate holder regardless of whether the client is or was on the licensee or certificate holder's case load.
- (b) A licensee or certificate holder who chooses to engage in a sexual relationship with a former client after the mandatory two year period of time will have the full burden of demonstrating that the former client has not been exploited, coerced or manipulated intentionally or unintentionally.
- (c) A licensee or certificate holder shall not sexually harass current or past client's family members. Sexual harassment includes sexual advances, sexual solicitation, requests for sexual favors and other verbal, non-verbal or physical conduct of a sexual nature. A licensee or certificate holder shall not engage in sexual activities or sexual contact with current or past client's family members for two years, at a minimum, after the cessation or termination of professional services within the client's treatment continuum. A licensee or certificate holder shall never engage in a sexual relationship with a former client's family member if such a relationship is not in the best interest of the client or increases the risk of client exploitation.
- (d) A licensee or certificate holder shall not sexually harass persons they encounter in professional settings.

(8) Private practice:

- (a) A licensee or certificate holder employed by an agency may not solicit or refer a current client of the agency to the licensee's private practice. Licensees may offer referrals to client's which include multiple options for the client to choose from and the licensee's private practice may be one of the

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multiple programs.

(b) When setting fees, an independent licensee shall ensure that fees are fair, reasonable and commensurate with the services performed.

(c) A licensee shall maintain client records for a period of seven years from the time services are completed.

(9) Professional disclosure:

(a) A licensee or certificate holder shall display a professional disclosure statement at the place where services are performed and shall provide a copy of the disclosure statement to clients upon request.

(b) Professional disclosure statements shall include the name, title, license or certificate type, license or certification number, business address and business phone number of the licensee or certificate holder.

(c) Professional disclosure statements shall identify licensee or certificate holder's formal professional education, areas of competence and the services they provide.

(d) Professional disclosure statements shall include language that directs the client to contact the board should they have complaints about the licensee or certificate holder. The name, address and phone number of the licensing board should be included in this language.

(e) For a licensee employed in a private practice, a fee schedule shall be listed by type of service or hourly rate.

(10) Impairment:

(a) A licensee or certificate holder shall not undertake or continue a professional counseling role when the judgment, competence and/or objectivity of the licensee is impaired due to mental, emotional, physiological, pharmacological, or substance abuse conditions.

(b) A licensee or certificate holder shall seek appropriate professional assistance for any substance abuse or dependence, psychiatric or psychological impairment, emotional distress or an other physical health related adversity that interferes with the licensee or certificate holder's ability to function competently. A licensee or certificate holder shall request inactive status for medical reasons when appropriate and notify the board and comply with rule 4758-11-02 of the Administrative Code.

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4758-10-01 Disciplinary action against licensees, certificate holders, ~~or~~ applicants, or endorsees.

- (A) The board may refuse to admit for examination, issue, renew, or may suspend, revoke, reprimand or place restrictions on any license, ~~or~~ certificate, or endorsement applied for under Chapter 4758. of the Revised Code, or may take other disciplinary action against any licensee, certificate holder, endorsee or applicant for one or more of the following reasons:
- (1) Violation of any provision of Chapter 4758. of the Revised Code or any rules adopted under it.
 - (2) Knowingly making a false statement on an application for a license, ~~or~~ certificate, or endorsement or for renewal, restoration or reinstatement of a license, ~~or~~ certificate, or endorsement.
 - (3) Acceptance of a commission or rebate for referring an individual to a person who holds a license, ~~or~~ certificate, or endorsement issued by, or who is registered with, an entity of state government, including persons practicing chemical dependency counseling, gambling disorder counseling, ~~alcohol and other drug~~ prevention services, or fields related to chemical dependency counseling, gambling disorder counseling or ~~alcohol and other drug~~ prevention services.
 - (4) Conviction in this or any other state of any crime that is a felony in this state.
 - (5) Conviction in this or any other state of a misdemeanor committed in the course of practice as an LICDC-CS, LICDC, LCDC III, LCDC II, CDCA, OCPS II, OCPS I, OCPSA ~~or~~ RA, or gambling disorder endorsee.
 - (6) Inability to practice as an LICDC-CS, LICDC, LCDC III, LCDC II, CDCA, OCPS, II, OCPS I OCPSA ~~or~~ RA, or gambling disorder endorsee due to abuse of or dependency on alcohol or other drugs or other physical or mental conditions.
 - (7) Practicing outside the individual's scope of practice.
 - (8) Practicing without complying with supervision requirements specified under section 4758.56, 4758.59 or 4758.61 of the Revised Code.
 - (9) Violation of the code of ethical practice and professional conduct for chemical dependency or gambling disorder counseling, ~~alcohol and other drug~~ prevention services or clinical supervision outlined in rules 4758-8-01 to 4758-8-03 of the Administrative Code.
 - (10) Revocation of a license or certificate or voluntary surrender of a license or certificate in another state or jurisdiction for an offense that would be a violation of section 4758.30 of the Revised Code.
 - (11) Failure to meet education, experience, examination, and other requirements set forth in Chapter 4758. of the Revised Code;
- (B) Authority of the board to take action against an applicant, licensee or certificate holder:
- (1) A violation of any of the rules of conduct or ethical rules may result in one or more of the following disciplinary actions:

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- (a) Refusal to issue a license, ~~or~~ certificate, or endorsement
 - (b) Refusal to renew a license, ~~or~~ certificate, or endorsement
 - (c) Reprimand of a licensee, ~~or~~ certificate holder, or endorsee
 - (d) Suspension of a license, ~~or~~ certificate, or endorsement
 - (e) Revocation of a license, ~~or~~ certificate, or endorsement
- (2) Past disciplinary actions taken against a licensee or certificate holder of this board may be considered in the choice of sanctions for a new offense. Section of sanctions to be imposed shall be at the discretion of the board after the licensee has been provided a right to a hearing pursuant to Chapter 119. and as outlined in section 4758.30 of the Revised Code.
- (C) Persons wishing to file a complaint against a licensee or certificate holder of this board or against someone seeking licensure may do so by obtaining and completing a written complaint form or by mailing a letter to the board to the attention of the executive director which details the complaint.
- (D) The board may also initiate an investigation against a licensee or certificate holder without a written complaint, if the board has reason to believe that the licensee or certificate holder is practicing in violation of the laws and rules outlined in Chapter 4758. of the Revised Code or agency 4758 of the Administrative Code.
- (E) Pursuant to Chapter 119. and Chapter 4758. of the Revised Code, the board shall give the applicant, licensee or certificate holder written notice by certified mail, return receipt requested, if it intends to propose to reprimand, suspend, revoke, place restrictions on or fail to issue or renew the license, ~~or~~ certificate, or endorsement. The notice shall include:
- (1) The standards with which the applicant, licensee or certificate holder was alleged to be in non-compliance or other reason(s) for the action;
 - (2) The section(s) of the law or rule(s) involved;
 - (3) A statement informing the applicant, licensee or certificate holder that he or she is entitled to a hearing if requested within thirty days of the time of the mailing of the notice;
 - (4) A statement that at a hearing, the applicant, licensee or certificate holder may appear in person or be represented by his or her own attorney, at the expense of the applicant, licensee or certificate holder, or may present his or her position, arguments or comments in writing and at the hearing each party may present evidence and examine witnesses appearing for and against the applicant, licensee or certificate holder. A copy of the notice shall be mailed to the attorney of record representing the applicant, licensee or certificate holder, if applicable.
- (F) If the applicant, licensee or certificate holder requests a hearing, the board shall set a date, time and place for the hearing within fifteen days, but not earlier than seven days, after the applicant, licensee or certificate holder has requested a hearing unless otherwise agreed upon by the board and by applicant, licensee or certificate holder. The hearing can be continued at the discretion of the board. A copy of the hearing notice shall be mailed to the respondent and attorney of record for the applicant, licensee or certificate holder, if applicable.

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- (1) The board shall conduct the adjudication hearing following the procedures in section 119.09 of the Revised Code and among other things may appoint a referee or hearing examiner to conduct the proceedings and make recommendations as appropriate. The referee or examiner shall have the same powers and authority in conducting the hearing as is granted to the board.
 - (2) The board shall provide the applicant, licensee or certificate holder a certified copy of its decision by certified mail, return receipt requested.
 - (3) If the board's decision after the hearing is to reprimand, suspend or revoke a license, the applicant, licensee or certificate holder shall be informed of the right to appeal within fifteen days of the mailing of the notice of the board's decision.
 - (4) If the applicant, licensee or certificate holder decides to appeal the board's decision, the respondent shall appeal the board's decision to the Franklin county court of common pleas. The notice of appeal of the respondent is to be filed with the board and must state the grounds for the appeal. A copy of the appeal shall be filed with the Franklin county court of common pleas.
 - (5) Within thirty days after receipt of the notice of appeal, the board shall file with the court a complete record of the proceedings in the case by certified mail, return receipt requested, or by hand delivery, if acceptable to the court.
- (G) If the board decides to revoke or deny the issuance of a license, ~~or~~ certificate, or endorsement, the applicant, licensee or certificate holder may reapply for the issuance of a license, ~~or~~ certificate, or endorsement or apply for reinstatement of a license, ~~or~~ certificate, or endorsement one year after the denial or revocation of the license, ~~or~~ certificate, or endorsement.

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4758-13-01 Continuing education requirements for CDCA, LCDCII, LCDC III, LICDC, LICDC-CS and gambling disorder endorsement.

(A) The following steps are required for renewal of a license or certificate to practice as a CDCA, LCDC II, LCDC III, LICDC, LICDC-CS or a gambling disorder endorsement within each two-year period of licensure or certification.

(1) Completion of a renewal application documenting the following:

(a) A minimum of forty recognized clock hours of continuing education credit within the two year renewal period. Documentation of these hours does not need to be submitted with the renewal application. If selected in a random audit process, documentation shall be required;

(b) A minimum of six hours of the total forty hours shall be in chemical dependency specific education;

(c) A minimum of three hours of the total forty hours shall be in ethics education; and

(d) For renewal of a LICDC-CS license, a minimum of six hours shall be in clinical supervision education within the following areas: assessment/evaluation, counselors' professional development, management/administration and professional responsibility.

(e) For renewal of a gambling disorder endorsement, a minimum of six hours shall be in gambling disorder education

~~(e)~~ (f) The remaining hours must be field related.

(2) Chemical dependency counselors may be granted up to a maximum of twenty RCHs for authoring alcohol and other drug related publications at the board's discretion.

(3) A maximum of ten RCHs may be granted for presenting a workshop or teaching chemical dependency related courses. One RCH is given for each contact hour of training. Credit is not granted for preparation time.

(4) A maximum of ten RCHs may be granted for special language courses or workshops.

(5) A maximum of twenty RCHs may be granted for participation in in-service training programs. An in-service is one in which only agency staff participate. If the agency's in-service is open to individuals from outside the agency, there is no limit to the number of RCHs that can be earned.

(6) The board shall consider relevant education, training, or service completed during the current renewal period by a licensee or certificate holder who is a member of or spouse of a member of the armed forces of the United States or reserve components thereof, the Ohio national guard, the Ohio military reserve, the Ohio naval militia, or the national guard of any other state in determining whether a licensee has fulfilled required continuing education for that renewal period.

(B) The renewal application shall be completed, signed and filed with required fee to the board no less than thirty days prior to the license or certificate lapse date.

A member of the armed forces of the United States, the Ohio national guard, the Ohio military reserve, the Ohio naval militia, the national guard of any other state, or a reserve component of the armed forces of the United States who has served on active duty, whether inside or outside the United States, for a period in

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excess of thirty-one days may submit an application to the board stating that the licensee or certificate holder requires an extension of the current reporting period because the licensee or certificate holder has served on active duty during the current or a prior reporting period. The licensee or certificate holder shall submit proper documentation certifying the active duty service and the length of that active duty service.

Upon receiving the application and proper documentation, the board shall extend the current reporting period by an amount of time equal to the total number of months that the licensee spent on active duty during the current reporting period. For purposes of this paragraph, any portion of a month served on active duty shall be considered one full month.

(C) The board shall send renewal reminders ninety days prior to the lapse date.

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4758-13-04 Definition of recognized clock hours.

- (A) The recognized clock hour (RCH) equals one contact hour of participation in an organized educational format.
- (B) RCHs and college courses:
- (1) RCHs may be awarded for college courses that address one or more of the knowledge and skill areas associated with chemical dependency counseling or prevention services
 - (2) In determining the number of RCHs to be awarded for college courses, the following conversions shall be used:
 - (a) One semester hour equals fifteen RCHs
 - (b) One quarter hour equals ten RCHs.
- (C) RCHs may be awarded to programs that address the following knowledge and skill areas:
- (1) Counselor areas:
 - (a) Theories of addiction
 - (b) Counseling procedures and strategies
 - (c) Group process and techniques
 - (d) Assessment and diagnosis of addiction
 - (e) Relationship counseling
 - (f) Pharmacology
 - (g) Prevention strategies
 - (h) Treatment planning
 - (i) Ethics
 - (2) Prevention areas:
 - (a) Foundation in chemical use/abuse/dependency
 - (b) Foundation in prevention of ATOD use/abuse/dependency
 - (c) Ethics
 - (d) Education and skill development
 - (e) Community organization
 - (f) Public policy and environmental change
 - (g) Professional growth and responsibility

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(h) Planning and evaluation

(3) Chemical dependency counselor supervisor areas:

(a) Counselor development

(b) Professional and ethical standards

(c) Program development and quality assurance

(d) Performance evaluation

(e) Administration

(f) Treatment knowledge

(4) Gambling disorder areas:

(a) Knowledge of gambling disorder

(b) Gambling counseling practice

(c) Special issues in gambling treatment

(d) Professionalism in gambling treatment

~~(4)~~ (5) Prevention administrator / supervisor areas:

(a) Personnel management

(b) Financial management

(c) Program development and planning

(d) Board development

(e) Policy development

(f) Coalition development

(D) Events for which no RCHs are awarded shall include:

(1) Programs leading to a high school diploma or equivalency certificate.

(2) In-service programs that deal with internal organizational affairs such as benefits, organizational structure or policy and procedures.

(3) Participation in department or committee meetings, delegate assemblies or similar meetings.

(4) Meetings for policy making or problem solving purposes.

(5) Business meetings of professional associations or societies.

(6) Programs delivered through the mass media unless they are an integral part of an educational program, which has prior board approval.

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(7) CPR/first aid classes.

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4758-13-06 Expired license or certificate.

- (A) Persons whose license, ~~or~~ certificates or endorsement have lapsed or expired and who continue to hold themselves out as chemical dependency counselors, ~~or~~ certified prevention specialists or gambling disorder endorsees shall be in violation of Chapter 4758. of the Revised Code.
- (B) Persons who practice chemical dependency counseling, gambling disorder counseling or ~~drug and alcohol~~ prevention while their licenses, ~~or~~ certificates or endorsements are under suspension or revocation shall be in violation of Chapter 4758. of the Revised Code.
- (C) Persons who engage in chemical dependency counseling, who are not exempt from licensure or certification or who do not already hold a valid license or certificate to practice chemical dependency counseling under Chapter 4758. of the Revised Code, shall be in violation of Chapter 4758. of the Revised Code.