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H.B. 5
134th General Assembly

Final Analysis

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Version: As Passed by the General Assembly

Primary Sponsor: Rep. Manning

Effective date: September 30, 2021; conforming amendments by Sections 3 and 4 effective October 9, 2021

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SUMMARY

- Revises the requirements to qualify for a chemical dependency counselor II license issued by the Ohio Chemical Dependency Professionals Board.
- Eliminates the authority of certain chemical dependency licensees to supervise prevention specialist assistants and registered applicants.

DETAILED ANALYSIS

Chemical dependency counselor II licenses

The act authorizes alternative requirements to qualify for a chemical dependency counselor II license issued by the Ohio Chemical Dependency Professionals Board.

Original counselor II license requirements

Under continuing law unchanged by the act, to qualify for a chemical dependency counselor II license, an individual must either (1) hold, on December 23, 2002, a certificate or credentials accepted by the former Department of Alcohol and Drug Addiction Services as authority to practice as a certified chemical dependency counselor II¹ or (2) meet all of the following criteria:

- Hold an associate's degree in a behavioral science or nursing or a bachelor's degree in any field;
- Have 180 hours of approved chemical dependency specific education, of which 50% must have been obtained in the last five years;

¹ R.C. 4758.42(B).

- Have completed 2,000 hours of compensated work or supervised internship experience in chemical dependency or substance abuse services or the practice of psychology, professional counseling, social work, or marriage and family therapy, not less than 400 of which are in chemical dependency counseling;
- Have a minimum of 220 hours of training in chemical dependency; and
- Have passed the International Certification and Reciprocity Consortium Alcohol and Drug Counselor Examination.²

License requirements under the bill

The act establishes two additional sets of criteria by which an individual may qualify for a chemical dependency counselor II license. The second set, however, is an option only until three years after the act's effective date; that is, until September 30, 2024.³

First criteria set

Under the first new set, an individual must satisfy all of the following to qualify for a counselor II license:

- Hold an associate's or bachelor's degree in a behavioral science or nursing, each with a specialization in chemical dependency counseling;
- Have a minimum of 180 hours of education in chemical dependency that meets requirements specified in Board rules;
- While holding a valid chemical dependency counselor assistant certificate, have successfully completed, over the course of no more than two semesters, at least 240 hours of practicum experience in chemical dependency that meets requirements specified in Board rules, including at least two hours of supervised practicum experience and providing intensive outpatient treatment or higher level of care, unless a different level of care is specified in Board rules;
- Have at least 1,000 hours of compensated work experience as a chemical dependency counselor assistant;
- Provide to the Board a written recommendation from an individual who supervised the individual's practice as a chemical dependency counselor assistant; and
- Have passed one or more examinations administered for the purpose of determining competence to practice as a chemical dependency counselor II.⁴

The act requires the Department of Mental Health and Addiction Services to consult with the Board to (1) study levels of care that must be offered by a program providing

² R.C. 4758.42(A) and Ohio Administrative Code (O.A.C.) 4758-5-03.

³ R.C. 4758.42.

⁴ R.C. 4758.42(C).

practicum experience that is required under the third bullet point above and (2) develop recommendations regarding whether levels of care not specifically authorized should be authorized through rule. The study and recommendations must be completed by March 30, 2022 (six months after the act's effective date).⁵

Second criteria set – applies until September 30, 2024

Under the second new set, an individual must meet the following in order to qualify for a chemical dependency counselor II license:

- Since at least December 31, 2008, have continuously held a valid chemical dependency counselor assistant certificate and practiced chemical dependency counseling while under supervision;
- Provide to the Board a written recommendation from an individual who supervised the individual's practice as a chemical dependency counselor assistant;
- Have earned the minimum number of hours in chemical dependency training specified in Board rules; and
- Have passed one or more examinations administered for the purpose of determining competence to practice as a chemical dependency counselor II.⁶

Rulemaking

The act requires the Board to adopt rules specifying the education and practicum experience requirements for the first new criteria set.⁷ It also requires the Board to adopt rules establishing chemical dependency training requirements for the second new criteria set. The rules must be adopted in accordance with the Administrative Procedure Act.⁸

Supervision of prevention specialist assistants and registered applicants

The act eliminates the authority of the following chemical dependency professionals to supervise the practice of prevention services by prevention specialist assistants and registered applicants:

- Independent chemical dependency counselor-clinical supervisors;
- Independent chemical dependency counselors;
- Chemical dependency counselors III.⁹

⁵ Section 6.

⁶ R.C. 4758.42(D).

⁷ R.C. 4758.20(A)(16) and (17).

⁸ R.C. 4758.20(A)(12) and (B); R.C. Chapter 119, not in the act.

⁹ R.C. 4758.61 and 4758.20(A)(30)(c).

This change conforms the Revised Code to Board rules. The rules in effect when this act passed do not permit prevention specialist assistants or registered applicants to engage in prevention activities unless under the supervision of a certified prevention consultant or certified prevention specialist; a physician; a psychologist; a registered nurse, certified nurse practitioner, or clinical nurse; an independent social worker or a social worker; a certified health education specialist, or, in the case of a prevention specialist assistant, a licensed school counselor.¹⁰

HISTORY

Action	Date
Introduced	02-03-21
Reported, H. Health	02-23-21
Passed House (93-2)	02-25-21
Reported, S. Health	05-19-21
Passed Senate (32-0)	06-24-21

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¹⁰ O.A.C. 4758-6-07 and 4758-6-08.