
CHEMICAL DEPENDENCY PROFESSIONALS BOARD

Terminology change

- Replaces the term “chemical dependency” with “substance use disorder” and modifies associated definitions.

Peer supporters

- Requires the Chemical Dependency Professionals (CDP) Board to provide certification for peer recovery supporters, youth peer supporters, and family peer supporters.
- Requires peer supporters to practice under supervision.
- Establishes a peer support supervisor endorsement, which must be obtained by a peer supporter or other chemical dependency professional to serve as a supervisor.
- Permits other mental health professionals to supervise peer supporters after completing training requirements established by Board rule.

Prevention services

- Modifies the definition of “prevention services” and requires the Board to adopt standards for the practice of prevention services.
- Changes credentialing of prevention specialists and prevention consultants from certification to licensure.

Chemical dependency counselor assistants

- Requires an individual seeking certification as a chemical dependency counselor assistant to be at least 18 and hold a high school diploma, a certificate of high school equivalence, or a higher degree.
- Changes the designation that applies to the first certification that is received to practice as a chemical dependency counselor assistant from “initial” to “preliminary.”
- Eliminates additional training requirements for preliminary certificate holders, and instead, requires the Board to establish the standards by rule.
- Prohibits the Board from renewing or restoring a chemical dependency counselor assistant preliminary certificate.

Approval of education programs

- Requires the Board to approve education programs that may be completed for initial licenses, certificates, and endorsements.
- Extends, for the Board’s approval of additional education programs, the Board’s duty to establish fees and adopt rules.

Applications

- Requires applicants for licensure, certification, or endorsement from the Board to submit an application in the manner the Board prescribes.
- Requires applicants for licensure, certification, or endorsement from the Board to hold a required degree “or higher.”

Discipline

- Permits the Board to impose fines as a form of professional disciplinary action against its license, certificate, and endorsement holders.
- Requires the Board to adopt rules establishing a graduated system of fines, based on the scope and severity of violations and history of compliance, with a maximum fine of \$500 per incident.
- Permits the Board to discipline an individual credentialed by the Board for an inability to practice due to mental illness or physical illness.
- Permits the Board to discipline an individual credentialed by the Board for conviction in another jurisdiction of either a felony or misdemeanors committed in the course of practice.

Internships, practicums, and work experience

- Permits the Board to require internships or practicums as a condition of licensure, certification, or endorsement, instead of preceptorships as specified by current law.
- Requires work or internship experience for a license as a chemical dependency counselor to include services provided for substance use disorder treatment within a scope of practice to perform such services.

Criminal records checks

- Requires applicants for licensure, certification, or endorsement from the Board to undergo a criminal records check.
- Requires the Board to adopt rules regarding criminal records checks.

Alternative pathways to licensure

- Eliminates pathways to licensure that require the professional to hold formerly accepted credentials on December 23, 2002.
- Eliminates a pathway to licensure as a chemical dependency counselor II that requires a professional to have held a certificate as a chemical dependency counselor assistant since 2008 and meet other requirements.
- Eliminates a pathway for licensure as an independent chemical dependency counselor-clinical supervisor for applicants who held a license on March 22, 2013, under which an applicant is not required to pay a fee or comply with other licensure requirements.

Codes of ethics

- Requires the codes of ethics adopted by the Board to prohibit engaging in multiple relationships with clients.
- Expands specific requirements for the development of codes of ethics to apply to all professionals credentialed by the Board.

Referrals

- Eliminates the statutory authority of chemical dependency professionals and gambling endorsement holders licensed, certified, and endorsed by the Board to refer individuals to appropriate sources of help.

Board membership

- Adds a chemical dependency counselor assistant and an individual who is a peer recovery supporter, youth peer supporter, or family peer supporter to the Board.
- Replaces the Board member who is a physician with experience practicing in a field related to chemical dependency counseling with a specified health care worker or counselor who is employed or contracted by a community addiction services provider or community mental health services provider.
- Increases to nine the number of members who must be present to constitute a quorum.

Chemical dependency counselor I license

- Eliminates obsolete references to the chemical dependency counselor I license, for which initial licensure was eliminated in 2002 and renewals ceased in 2008.

Eliminated requirements

- Eliminates a requirement that each license or certificate include the Board's address and telephone number.
- Eliminates a requirement that a holder of a license, certificate, or endorsement issued by the Board prominently post that license, certificate, or endorsement at the holder's place of employment.

Terminology change

(R.C. 4758.01; conforming changes in R.C. 4757.41, 4758.02, 4758.03, 4758.10, 4758.13, 4758.20, 4758.22, 4758.221, 4758.23, 4758.30, 4758.31, 4758.36, 4758.39, 4758.40, 4758.41, 4758.42, 4758.43, 4758.54, 4758.55, 4758.56, 4758.57, and 4758.59)

The bill replaces the term "chemical dependency" with "substance use disorder" throughout R.C. Chapter 4758 and modifies a relevant definition. "Alcohol and other drug counseling principles, methods, and procedures" is currently defined as an approach to chemical dependency counseling that emphasizes the chemical dependency counselor's role in systematically assisting clients through all of the following: (1) analyzing background and current

information, (2) exploring possible solutions, (3) developing and providing a treatment plan, and (4) for certain professionals, diagnosing chemical dependency conditions. These principles, methods, and procedures include counseling, assessing, consulting, and referral. The bill condenses this definition to say that “substance use disorder clinical counseling principles, methods, or procedures” are “counseling, assessing, treatment planning, crisis intervention, and referral as they relate to substance use disorder conditions.”

Although the terminology used in referring to chemical dependency/substance use disorder is modified, the bill retains the name of all chemical dependency counselors and the Chemical Dependency Professionals (CDP) Board.

Peer supporters

(R.C. 4758.01, 4758.02, 4758.20, 4758.21, 4758.49, 4758.491, 4758.65, 4758.651, 4758.70, and 4758.80; Section 747.10; conforming changes in R.C. 4743.09, 4757.41, 4758.10, 4758.13, 4758.22, 4758.23, 4758.30, 4758.31, 4758.36, and 4758.99)

The bill requires the CDP Board to provide certification for peer recovery supporters, youth peer supporters, and family peer supporters. Peer recovery supporters work with individuals with a mental illness or substance use disorder, or both, who may also have a co-occurring developmental disability, as well as the individuals’ caregivers or families. Youth peer supporters work with the same population, but primarily focus on individuals who are age 30 or younger. Family peer supporters exclusively work with the caregivers or families of individuals with a mental illness or substance use disorder.

All peer supporters work with their clients to promote resiliency and recovery, self-determination, advocacy, well-being, skill development, and any other competencies the CDP Board may adopt by rule. Peer supporters may not engage in the practice of substance use disorder counseling or prevention services.

Peer supporters are currently certified by the Department of Behavioral Health (DBH). Beginning one year after the bill’s 90-day effective date, the bill requires anyone using a peer supporter title to be certified by the CDP Board. At the Board’s discretion, a person certified by DBH may continue practicing as a peer supporter until one year after the effective date of the Board’s initial rules regarding peer supporters.

Requirements for certification

All peer supporters must hold a high school diploma, the equivalent of a high school diploma, or a higher degree. The CDP Board is responsible for determining what high school diploma equivalents are acceptable. Peer supporters must also complete training, pass an examination, and agree to follow a code of ethics, all to be established by the Board.

Peer recovery supporters must be at least 18, have direct lived experience with mental illness or substance use disorder, and be in recovery.

Youth peer supporters must be at least 18, but not older than 30. They must have direct lived experience with the behavioral health system and other child or youth services systems.

Family peer supporters must be at least 21, have direct lived experience as the caregiver of a person with a mental illness or substance use disorder, and have successfully navigated service systems for at least one year on behalf of that person.

Supervision

Peer supporters must practice under supervision. Supervision may be provided by another certified peer supporter or a chemical dependency professional licensed by the CDP Board who holds a peer support supervisor endorsement. Psychologists, psychiatrists, social workers, independent social workers, professional counselors, professional clinical counselors, marriage and family therapists, or independent marriage and family therapists may also supervise peer supporters after completing a training established by the Board.

Peer support supervisor endorsement

To obtain a peer support supervisor endorsement, a peer supporter, independent chemical dependency counselor, chemical dependency counselor III, or chemical dependency counselor II must have provided service as a peer supporter or chemical dependency counselor for at least two years. For peer supporters, this may include time spent practicing while certified by DBH. The professional must also complete both online learning and a supervising peers training program in accordance with rules adopted by the CDP Board. If the online learning courses are provided by DBH, the Board may not charge a fee for approving the course.

Telehealth

The bill permits peer supporters to provide services through telehealth.

Prevention services

(R.C. 4758.01, 4758.44, and 4758.45; conforming changes in R.C. 4758.02, 4758.10, 4758.20, 4758.21, 4758.22, 4758.23, 4758.60, and 4758.61)

The bill modifies the definition of prevention services. Current law defines prevention services as “a comprehensive, multi-system set of individual and environmental approaches that maximizes physical health, promotes safety, and precludes the onset of behavioral health disorders.” The new definition specifies that prevention services, “are a planned sequence of culturally relevant, evidence-based strategies designed to reduce the likelihood of, or delay the onset of, mental, emotional, and behavioral disorders.”

The bill requires the CDP Board to set standards for the practice of prevention services, including by specifying that prevention services must be (1) intentionally designed to reduce risk or promote health before the onset of a disorder, (2) population-focused and targeted to specific levels of risk, and (3) reserved for interventions designed to reduce the occurrence of new cases of mental, emotional, and behavioral disorders. Prevention services must not be used for clinical assessment, treatment, relapse and recovery support services, or medications of any type.

Current law specifies that prevention consultants and prevention specialists, who both provide prevention services, must be certified by the Board. The bill changes these credentials to licenses.

Chemical dependency counselor assistants

(R.C. 4758.20, 4758.26, 4758.27, 4758.43, 4758.51, and 4758.52, repealed)

The bill changes the designation that applies to the first certification that is received to practice as a chemical dependency counselor assistant from “initial” to “preliminary.” The chemical dependency counselor assistant preliminary certificate must be obtained before applying for certification as a chemical dependency counselor. The bill requires the CDP Board to establish requirements for obtaining a preliminary certificate. It eliminates requirements for training that must be completed during the first 12 months a preliminary certificate is in effect and prohibits the Board from renewing a preliminary certificate.

In addition to first obtaining a preliminary certificate, the Board requires applicants for certification as a chemical dependency counselor assistant to be at least 18 years old and hold a high school diploma, a certificate of high school equivalence, or a higher degree.

Approval of education programs

(R.C. 4758.20, 4758.21, and 4758.28)

The CDP Board is already required to approve continuing education programs for individuals licensed, certified, and endorsed by the Board, and to charge fees for the approval of these programs. The bill additionally requires the Board to approve education programs that can be completed for initial licensure, certification, and endorsement, including degree and certificate training programs offered by accredited educational institutions and other training programs selected by the Board. The Board is required to adopt rules establishing requirements for these education programs and setting fees for their approval.

Applications

(R.C. 4758.10, 4758.20, 4758.35, 4758.39, 4758.40, 4758.41, 4758.43, 4758.44, 4758.45, 4758.46, 4758.47, and 4758.49)

Applicants for licensure, certification, or endorsement by the CDP Board must currently submit a written application to the Board. The bill removes the requirement that the application be written, instead requiring it to be submitted in a manner the Board prescribes.

The bill specifies that applicants for licensure, certification, or endorsement from the Board must hold a required degree “or higher,” as opposed to holding “at least” that degree as in current law.

Discipline

(R.C. 4758.20 and 4758.30)

The bill permits the CDP Board to impose fines against professionals it credentials as a form of professional discipline. The Board is required to establish a graduated system of fines where a fine is determined based on the scope and severity of a violation and the professional’s history of compliance. The maximum fine that can be imposed is \$5,000 per incident.

Current law permits the Board to discipline an individual credentialed by the Board if that individual is unable to practice due to a physical or mental condition. The bill instead specifies

that the Board may impose discipline if an individual is unable to practice by reason of mental illness or physical illness, including physical deterioration that adversely affects cognitive, motor, or perceptive skills.

The Board may currently discipline a professional for conviction in Ohio or any other state of a crime that is either a felony in Ohio or a misdemeanor that is committed in the course of practice. The bill extends this to include conviction in any other jurisdiction.

Internships, practicums, and work experience

(R.C. 4758.20, 4758.39, 4758.40, 4758.41, and 4758.42)

Current law permits the CDP Board to require preceptorships as a condition of licensure, certification, or endorsement. The bill instead permits the Board to require internships and practicums.

Individuals seeking an independent chemical dependency counselor-clinical supervisor, independent chemical dependency counselor, chemical dependency counselor III, or chemical dependency counselor II license are currently required to have compensated work or internship experience in chemical dependency services, substance abuse services, or both types of services. The bill modifies this requirement so that internship or work experience must instead include the provision of services in substance use disorder treatment within a scope of practice that the Board considers appropriate for the license being sought.

Criminal records checks

(R.C. 4758.20, 4758.24, 4776.01, and 4776.20)

The bill requires anyone applying for licensure, certification, or endorsement through the CDP Board to undergo a criminal records check. The Board must adopt rules regarding this process.

Alternative pathways to licensure

(R.C. 4758.241, repealed, 4758.40, 4758.41, 4758.42, 4758.43, 4758.44, and 4758.45)

Current law permits licensure as an independent chemical dependency counselor, chemical dependency counselor III, chemical dependency counselor II, prevention consultant, or prevention specialist, or certification as a chemical dependency counselor assistant, if the professional held a license or certification on December 23, 2002. To qualify for licensure through this pathway, independent chemical dependency counselors and chemical dependency counselors III must also hold a Board-approved degree and complete at least 40 hours of training on the current Diagnostic and Statistical Manual of Mental Disorders. The bill removes this pathway to licensure for all of the aforementioned professionals credentialed by the CDP Board.

The bill also removes a pathway to licensure as a chemical dependency counselor II for professionals who have continuously held a chemical dependency counselor assistant certificate and practiced under supervision since December 31, 2008, provided a written recommendation from a supervisor, received Board-approved training, and passed a chemical dependency counselor II license exam.

Finally, the bill removes an alternative pathway for licensure as an independent chemical dependency counselor-clinical supervisor. Currently, an applicant who held an independent chemical dependency counselor license on March 22, 2013, may receive an independent chemical dependency counselor-clinical supervisor license without paying a license fee or meeting additional requirements for that license.

Codes of ethics

(R.C. 4758.23)

The CDP Board is currently required to establish codes of ethical practice and professional conduct for the professionals it licenses, certifies, and endorses. Current law requires the codes for chemical dependency counselors to define unprofessional conduct, including engaging in a dual relationship with a client, former client, consumer, or former consumer. The bill expands the requirements regarding unprofessional conduct to all professionals credentialed by the Board, and instead of prohibiting engaging in a dual relationship, the codes must prohibit engaging in multiple relationships with a person being served.

Referrals

(R.C. 4758.54, 4758.55, 4758.56, 4758.57, 4758.59, 4758.62, 4758.63, and 4758.64)

The bill removes the statutory authority of an independent chemical dependency counselor-clinical supervisor, independent chemical dependency counselor, chemical dependency counselor III, or chemical dependency counselor II to refer individuals with nonchemical dependency conditions to appropriate sources of help. It also eliminates the statutory authority of a gambling disorder endorsement holder to refer individuals with other gambling conditions to appropriate sources of help. However, the CDP Board has indicated that the codes of ethics for the professionals it regulates require referral when a client needs services beyond the professional's scope of practice.

Board membership

(R.C. 4758.10, 4758.11, and 4758.13; Section 747.10)

The bill increases the membership of the CDP Board by requiring the Governor to appoint to the Board an individual holding a valid chemical dependency counselor assistant certificate and an individual who is a certified peer recovery supporter, youth peer supporter, or family peer supporter. In accordance with adding new members to the Board, the bill increases the number of members who must be present to constitute a quorum from seven to nine.

For the peer supporter appointee, the Governor may either postpone making an appointment until these professionals are certified by the Board or appoint an individual who otherwise meets the qualifications of a peer supporter. If the Governor delays making an appointment, the Board may modify the number of present members necessary for a quorum.

The bill also modifies the Board's membership by replacing the Board member who is a physician with experience practicing in a field related to chemical dependency counseling. Instead, the bill permits the position to be filled with a health care worker or counselor who is employed or contracted by a community addiction services provider or community mental health

services provider. The health care worker may be a psychiatrist, psychologist, psychiatric-mental health clinical nurse specialist, psychiatric-mental health nurse practitioner, professional clinical counselor, professional counselor, independent social worker, social worker, independent marriage and family therapist, or marriage and family therapist.

As under current law, the Governor's appointments are subject to the advice and consent of the Senate.

Chemical dependency counselor I license

(R.C. 4758.02, 4758.24, and 4758.27)

The chemical dependency counselor I license was eliminated in 2002. People who were licensed as a chemical dependency counselor I in 2002 were permitted to keep practicing under that license for a limited time, but renewals ceased in 2008. The bill eliminates remaining references to these licenses from statute.

Eliminated requirements

(R.C. 4758.18, repealed and 4758.50, repealed)

The bill eliminates a requirement that the CDP Board include the Board's address and telephone number on each license or certificate it issues. It also eliminates a requirement that a holder of a license, certificate, or endorsement issued by the Board prominently post that license, certificate, or endorsement at the holder's place of employment.