



Ohio Legislative Service Commission

Final Analysis

Bob Bennett

H.B. 230

131st General Assembly
(As Passed by the General Assembly)

Reps. Sprague, Fedor, Anielski, Blessing, Buchy, Burkley, Craig, Dever, Green, Grossman, Hackett, Hambley, T. Johnson, M. O'Brien, S. O'Brien, Phillips, Rogers, Sheehy, Strahorn, Sykes, Thompson, Rosenberger

Sens. Hite, Brown, Beagle, Jones, Patton, Tavares, Yuko

Effective date: September 28, 2016

ACT SUMMARY

- Repeals provisions that statutorily established experience, education, and training requirements for certain licenses and certificates from the Chemical Dependency Professionals Board.
- Requires the Board to adopt rules establishing those requirements.
- Replaces references to "alcohol and other drug prevention services" with "prevention services" as those terms relate to the laws governing chemical dependency counseling.
- Renames two of the certificates issued by the Board as follows:
 - A prevention specialist I certificate is renamed a prevention specialist certificate;
 - A prevention specialist II certificate is renamed a prevention consultant certificate.

* This version updates the effective date.

CONTENT AND OPERATION

Licensing and certification requirements

The act modifies the experience, education, and training requirements to be eligible to receive certain licenses and certificates from the Chemical Dependency Professionals Board by repealing a number of provisions that statutorily establish the requirements. The act instead requires the Board to adopt rules that establish the requirements.

As provided by continuing law, those rules must be adopted in accordance with the Administrative Procedure Act (R.C. Chapter 119.) and any applicable federal laws. Also, the Board may consider standards established by any national association or organization representing the interests of those involved in chemical dependency counseling or prevention services (see "**Prevention Services**," below).¹

Compensated work or supervised internship experience

Prior law established the minimum number of hours of compensated work or supervised internship experience, including the number of hours of clinical supervisory experience and chemical dependency counseling, that an individual had to have to receive a chemical dependency counselor-clinical supervisor license, an independent chemical dependency counselor license, a chemical dependency counselor III license, or a chemical dependency counselor II license.²

The act repeals the provisions establishing the required number of hours and instead requires the Board to adopt rules establishing the hour requirements.³ The act, however, specifies that chemical dependency counseling must make up 20% of the compensated work or supervised internship experience to receive each of the licenses.⁴

Chemical dependency training

Prior law required an individual to have at least 180 hours of training in chemical dependency to receive a chemical dependency counselor-clinical supervisor license, an independent chemical dependency counselor license, a chemical dependency counselor

¹ R.C. 4758.20(B) and (C).

² R.C. 4758.40(A)(2), 4758.41(A)(2), and 4758.42(A)(2).

³ R.C. 4758.20(A)(11) and (13).

⁴ R.C. 4758.39(A)(2), 4758.40(A)(2), 4758.41(A)(2), and 4758.42(A)(2).



III license, or a chemical dependency counselor II license.⁵ The training had to include instruction in theories of addiction, counseling procedures and strategies with addicted populations, group process and techniques working with addicted populations, assessment and diagnosis of addiction, relationship counseling with addicted populations, pharmacology, prevention strategies, treatment planning, and legal and ethical issues.⁶

The act repeals both the 180-hour requirement and the provision specifying the content areas that must be covered in the training. Instead, the act requires the Board to adopt rules establishing the required number of hours and the required content of the training.⁷

Prior law also required an individual to have at least 40 hours of training in chemical dependency to receive a chemical dependency counselor assistant certificate.⁸ That training had to include at least one of the courses required for a degree in a behavioral science or nursing.⁹ The act repeals both the 40-hour requirement and the course content provision. Instead, the act requires the Board to adopt rules establishing the number of hours of chemical dependency training and the content to be included in the training.¹⁰

Prevention services experience

Prior law established the minimum number of hours of experience in alcohol and other drug prevention services that an individual had to have to receive a prevention specialist II certificate (which the act renames prevention consultant certificate), a prevention specialist I certificate (which the act renames prevention specialist certificate), or a prevention specialist assistant certificate.¹¹

The act repeals the provisions that established the required number of hours and instead requires the Board to adopt rules establishing the hour requirements.¹² The act

⁵ R.C. 4758.39(A)(3), 4758.40(A)(3), 4758.41(A)(3), and 4758.42(A)(3).

⁶ R.C. 4758.20(A)(12).

⁷ R.C. 4758.20(A)(12).

⁸ R.C. 4758.43(A).

⁹ See R.C. 4758.20(A)(10).

¹⁰ R.C. 4758.20(A)(16).

¹¹ R.C. 4758.46(C).

¹² R.C. 4758.20(A)(17), (21), and (23).

also replaces "alcohol and other drug prevention services" with "prevention services" (see "**Prevention services**," below).

Prevention-related education

Prior law required an individual to have at least 100 hours of prevention-related education to receive a prevention consultant certificate or a prevention specialist certificate and at least 45 hours of the prevention-related education to receive a prevention specialist assistant certificate.¹³ The act repeals the 100-hour and the 45-hour requirements and instead requires the Board to adopt rules establishing the required number of hours of prevention-related education.¹⁴

Prevention services

The act replaces references to "alcohol and other drug prevention services" with "prevention services" as those terms relate to the laws governing the Board's regulatory authority over chemical dependency counseling.¹⁵ Under prior law repealed by the act, "alcohol and other drug prevention services" was defined as 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. Under the act, "prevention services" is defined 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.

Certificate renaming

The act renames two of the certificates issued by the Board. A prevention specialist I certificate is renamed a prevention specialist certificate, and a prevention specialist II certificate is renamed a prevention consultant certificate.¹⁶

The act provides that a prevention specialist I certificate or a prevention specialist II certificate that is valid on the act's effective date is the same as the renamed certificate and will remain valid until its expiration date, unless earlier suspended or revoked by the Board.¹⁷

¹³ R.C. 4758.44(A)(3), 4758.45(A)(3), and 4758.46(D).

¹⁴ R.C. 4758.20(A)(19).

¹⁵ R.C. 4758.01; see also R.C. 4757.41, 4758.10, 4758.13, 4758.20, 4758.22, 4758.23, 4758.30, 4758.31, 4758.36, 4758.44, 4758.45, 4758.46, and 4758.61.

¹⁶ R.C. 4758.10, 4758.21, 4758.22, 4758.23, 4758.44, 4758.45, and 4758.60.

¹⁷ Section 3.



Volunteer services

Within a provision of continuing law granting immunity from civil liability to certain health professionals who provide services without compensation to indigent and uninsured persons, the act makes the following changes: (1) lists each type of chemical dependency and prevention professional licensed or certified by the Board, in place of a provision that refers in general to the statutes governing those professionals, and (2) eliminates a duplicative provision specifying that the immunity from civil liability applies only if the professional is acting within the scope of the professional's practice.¹⁸

HISTORY

ACTION	DATE
Introduced	05-26-15
Reported, H. Health & Aging	11-19-15
Passed House (92-0)	12-09-15
Reported, S. Health & Human Services	05-11-16
Passed Senate (33-0)	05-24-16

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¹⁸ R.C. 2305.234(A)(1)(p) and (G)(3).

