

Rule Summary and Fiscal Analysis (Part A)**Counselor, Social Worker, and Marriage and Family Therapist Board**

Agency Name

Division

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4757-9-02

Rule Number

AMENDMENT

TYPE of rule filing

Rule Title/Tag Line

**Continuing education requirements for renewal of a
professional counselor or a professional clinical counselor.****RULE SUMMARY**

1. Is the rule being filed consistent with the requirements of the RC 119.032 review? **No**

2. Are you proposing this rule as a result of recent legislation? **Yes**

Bill Number: **HB232**General Assembly: **130**Sponsor: **Rep. Sears**

3. Statute prescribing the procedure in accordance with the agency is required to adopt the rule: **119.03**

4. Statute(s) authorizing agency to adopt the rule: **4757.10, 4757.33**

5. Statute(s) the rule, as filed, amplifies or implements: **4757.33**

6. State the reason(s) for proposing (i.e., why are you filing,) this rule:

Changes relative to implementation of HB-232

7. If the rule is an AMENDMENT, then summarize the changes and the content of the proposed rule; If the rule type is RESCISSION, NEW or NO CHANGE,

then summarize the content of the rule:

Minor changes to titles to add "licensed" to professional counselor and professional clinical counselor and modify a reference due to another rule being changed.

8. If the rule incorporates a text or other material by reference and the agency claims the incorporation by reference is exempt from compliance with sections 121.71 to 121.74 of the Revised Code because the text or other material is **generally available** to persons who reasonably can be expected to be affected by the rule, provide an explanation of how the text or other material is generally available to those persons:

This response left blank because filer specified online that the rule does not incorporate a text or other material by reference.

9. If the rule incorporates a text or other material by reference, and it was **infeasible** for the agency to file the text or other material electronically, provide an explanation of why filing the text or other material electronically was infeasible:

This response left blank because filer specified online that the rule does not incorporate a text or other material by reference.

10. If the rule is being **rescinded** and incorporates a text or other material by reference, and it was **infeasible** for the agency to file the text or other material, provide an explanation of why filing the text or other material was infeasible:

Not Applicable.

11. If **revising** or **refiling** this rule, identify changes made from the previously filed version of this rule; if none, please state so. If applicable, indicate each specific paragraph of the rule that has been modified:

Not Applicable.

12. 119.032 Rule Review Date: **12/17/2017**

(If the rule is not exempt and you answered NO to question No. 1, provide the scheduled review date. If you answered YES to No. 1, the review date for this rule is the filing date.)

NOTE: If the rule is not exempt at the time of final filing, two dates are required: the current review date plus a date not to exceed 5 years from the effective date

for Amended rules or a date not to exceed 5 years from the review date for No Change rules.

FISCAL ANALYSIS

13. Estimate the total amount by which *this proposed rule* would **increase / decrease** either **revenues / expenditures** for the agency during the current biennium (in dollars): Explain the net impact of the proposed changes to the budget of your agency/department.

This will have no impact on revenues or expenditures.

0

Not applicable

14. Identify the appropriation (by line item etc.) that authorizes each expenditure necessitated by the proposed rule:

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15. Provide a summary of the estimated cost of compliance with the rule to all directly affected persons. When appropriate, please include the source for your information/estimated costs, e.g. industry, CFR, internal/agency:

Rule requires licensed professional counselors and license professional clinical counselors to complete 30 hours of continuing education to renew their licenses in an active status. Licensees who renew per rules 4757-9-02 of the Administrative Code pay fees of \$75 for independent license, \$60 for dependent licenses.

The continuing education (CE) course vary from free to hundreds of dollars depending on the source and quality of the programs. Many employers offer CE courses without charge, ODMHAS offers drug and alcohol CE course for free online and there are many online low cost alternatives. The licensees have to complete 30 CE hours per renewal unless they elect inactive status once that is up and operational. With average courses costing about \$10 per hour that would be \$300 for many licensees not getting training through their employer or other low cost alternatives.

16. Does this rule have a fiscal effect on school districts, counties, townships, or municipal corporations? **No**

17. Does this rule deal with environmental protection or contain a component

dealing with environmental protection as defined in R. C. 121.39? **No**

S.B. 2 (129th General Assembly) Questions

18. Has this rule been filed with the Common Sense Initiative Office pursuant to R.C. 121.82? **Yes**

19. Specific to this rule, answer the following:

A.) Does this rule require a license, permit, or any other prior authorization to engage in or operate a line of business? **No**

No, this rule speaks to renewal of counselor licenses.

B.) Does this rule impose a criminal penalty, a civil penalty, or another sanction, or create a cause of action, for failure to comply with its terms? **No**

Other rule create a cause of action for failure to comply with this rule when renewing counseling licenses.

C.) Does this rule require specific expenditures or the report of information as a condition of compliance? **No**

No, other rules specify compliance with continuing education audits and failure to comply with the requirements of this rule.