

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? **Yes**

2. Are you proposing this rule as a result of recent legislation? **No**

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:

Five year rule review

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 define administrative subject areas accepted for continuing education and reducing required hours of supervision training from six to three each two year renewal for professional clinical counselors holding supervision designations.

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 If the rule is being **rescinded** and incorporates a text or other material by reference, and it was **infeasible** for the agency to file the text or other material, provide an explanation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

Date filed for Public hearing had a typo in the year, it should be 11/13/2012.

Added links to CSI documents.

12. 119.032 Rule Review Date: **10/12/2012**

(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.

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The board budgeted funds from current appropriations to cover any expenses from this rule.

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

899609

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:

The estimated cost of compliance is the cost of thirty continuing education hours every two year renewal. The cost of continuing education can vary from free to a range of five dollars to a hundred dollars per hour depending on the complexity and depth of the training. Some employers provide continuing education within their employee training responsibilities to meet agency needs. There is a huge number and subject matter range of continuing education courses available for licensees that vary in quality, cost and complexity that should meet every licensees needs.

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**

The rule only applies to licensed professional counselors or professional clinical counselors.

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? **Yes**

Yes, failure to comply with this ethics rule could result in disciplinary action from a caution letter up to and including revocation of the license.

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

The rule requires licensees to obtain thirty continuing education hours in order to renew each two years, which includes some measure of cost in time and/or fees to attend. Only licensees audited for continuing education compliance have to provide proof of their hours.