

CSI - Ohio

The Common Sense Initiative

Business Impact Analysis

Agency Name: Counselor, Social Worker & Marriage and Family Therapist Board

Regulation/Package Title: September 2013

Rule Number(s): 4757-7-01, 4757-09-02, 4757-09-05, 4757-9-07, 4757-17-01, 4757-19-04, 4757-21-03, 4757-25-01 and 4757-25-04

Date: December 27, 2013

Rule Type:

☐ New

☒ Amended

☒ 5-Year Review

☐ Rescinded

The Common Sense Initiative was established by Executive Order 2011-01K and placed within the Office of the Lieutenant Governor. Under the CSI Initiative, agencies should balance the critical objectives of all regulations with the costs of compliance by the regulated parties. Agencies should promote transparency, consistency, predictability, and flexibility in regulatory activities. Agencies should prioritize compliance over punishment, and to that end, should utilize plain language in the development of regulations.

Regulatory Intent

1. Please briefly describe the draft regulation in plain language.

These rules are being filed as part of the requirement to review each rule of the Ohio Administrative Code every five years and include two additional amended rules. These rules are part of one Chapter of the Administrative Code under Chapter 4757 of the Revised Code. The following rules have been reviewed by the Board and/or the appropriate Professional

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Standards Committee(s). There is a note on each as to the proposed changes. The PSC column denotes if it applies to all licensees or only the Counselor (CPSC), Social Worker (SWPSC) or Marriage and Family Therapist (MFTPSC) Professional Standards Committee. The Board appreciates feedback on any and all rules.

| Rule # | Title | Comments | PSC |
|---------------|---|---|------------|
| 4757-7-01 | Renewal of license or certificate of registration. | Modified to incorporate changes for active duty members and veterans per statute changes to Section 5903.10 & 5903.12 | All |
| 4757-9-02 | Continuing education requirements for renewal of a professional counselor or a professional clinical counselor. | Modified to accept administrative continuing education hours in light of coming changes in healthcare and insurance regulations. | CPSC |
| 4757-09-05 | Approval of continuing professional education programs required for renewal of licenses and certificates of registration issued by the board. | Clarified requirements for continuing education course certificates. Modified to state the NASW continuing education program approvals to be for NASW national and NASW Ohio Chapter only. Modified to more clearly explain post program approvals for continuing education programs. | All |
| 4757-9-07 | Documentation of continuing professional education required for renewal of a license or certificate of registration. | Added new paragraph (D) stating licensees may not attend the same CE course within one renewal period. | All |
| 4757-17-01 | Counseling supervision. | Modified paragraph (F)(2) to reflect changes from 6 to 3 supervision hours for PCC-S licensees. | CPSC |
| 4757-19-04 | Social Worker examination policy. | Changes added that require all initial LSW applicants to take the bachelor's level exam for licensure; and all initial LISW applicants to be eligible to take the | SWPSC |

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|------------|--|---|--------|
| | | clinical or advanced generalist exam once they have completed three fourths of their two years of supervised practice. | |
| 4757-21-03 | Scope of practice for an independent social worker. | Clarifies clinical supervision of SWTs who are providing diagnosis and treatment & LISW supervision versus LISW-S supervision. | SWPSC |
| 4757-25-01 | Education requirements for admission to the examination for marriage and family therapist. | Changes the practicum requirements to meet the accreditation requirements under COAMFTE. | MFTPSC |
| 4757-25-04 | Requirements for licensure as an independent marriage and family therapist. | Changes requirements to read better and adds that half of the face-to-face client hours are with couples and/or families present to be consistent with AAMFT national standards | MFTPSC |

2. Please list the Ohio statute authorizing the Agency to adopt this regulation.

Chapter 4757 of the Revised Code includes several Sections that provide rule making authorization including Section 4757.10 with some specific and general areas, Sections 4757.22, 4757.23, 4757.26, 4757.27 and 4757.30 for licensure rules and 4757.33 for the continuing education rules.

3. Does the regulation implement a federal requirement? Is the proposed regulation being adopted or amended to enable the state to obtain or maintain approval to administer and enforce a federal law or to participate in a federal program?

No

4. If the regulation includes provisions not specifically required by the federal government, please explain the rationale for exceeding the federal requirement.

Not applicable

5. What is the public purpose for this regulation (i.e., why does the Agency feel that there needs to be any regulation in this area at all)?

The regulations are needed to carry out the Board's mission in an effective and efficient manner. The Board licenses professional counselors, social workers and marriage and family therapists who provide mental health and other services to residents of Ohio. The

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Board ensures applicants for licensure meet the requirements established in Chapter 4757 of the Revised Code. The Board ensures that applicants maintain qualifications by requiring continuing education for each license renewal. The Board also provides regulatory oversight and discipline for licensees that do not follow professional standards of conduct.

6. How will the Agency measure the success of this regulation in terms of outputs and/or outcomes?

These rules establish the parameters for licensees' continuing education per Section 4757.33 of the Revised Code. Success in the case of rules 4757-07-01, 4757-9-02, 4757-9-05 & 4757-9-07 will be measured by having the rules written in plain language for clarity, by creating accommodating provisions for active duty and veteran military members and their families; by no licensees renewing counselor, social worker or marriage and family therapy licenses or social worker assistant registrations without meeting the continuing education requirements; and finding no licensees attempting to use the same continuing education course twice in the same renewal period. Success in the case of rule 4757-17-01 will be measured by having the supervision of counselors provided per the rule by providing minimal standards and guidance as to supervision requirements. Success in the case of rules 4757-19-04, 4757-21-03 will be measured by successful processing of examination approvals and processing of passing and failing reports. Success in the case of rules 4757-25-01 & 4757-25-04 will be measured by having the educational and training requirements meet the necessary standards to insure minimal competency for licensed marriage and family therapists.

Development of the Regulation

7. Please list the stakeholders included by the Agency in the development or initial review of the draft regulation.

Emails were sent via the Board's Listserv to all valid email addresses on 12/6/2013. Those emails had a link to the draft rules on the Board's web site. Separate emails were sent to all associations that have expressed interest in the last several years in any Board issues. Emails were sent to all counselor, social worker and marriage and family therapist education programs in Ohio colleges and universities with programs designed to lead to licensure under the Board's laws and rules. Another email was sent to continuing education providers and those who offer individual programs for which we have emails.

8. What input was provided by the stakeholders, and how did that input affect the draft regulation being proposed by the Agency?

Many inputs were supportive of these rule changes. Many minor edits were made based on comments from licensees. A major issue that was resolved was a proposed change to 4757-9-05 in the requirement of continuing education certificates under paragraphs (B) &

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(C), which were resolved through thirty plus inputs and discussions with interested parties. The rule ended up being less proscriptive and giving companies and individuals leeway to process certificates as needed. For rule 4757-19-04, we had a small number of comments about changing the exams for social work licensure, but primarily from current MSW students who will not be impacted as the effective date of the change will be after they graduate. We do not believe we will get any negative input on the resolved language. A number of counselor licensees have spoken against the restriction of only 15 of the 30 CE hours required being met by distance learning. Live webinars and other interactive media are not considered distance learning. The counselor professional standards committee has addressed this issue on numerous occasions and has steadfastly determined that only half of the thirty hours may be distance learning. The remaining changes are non-controversial and uniformly accepted.

9. What scientific data was used to develop the rule or the measurable outcomes of the rule? How does this data support the regulation being proposed?

There are no rules with scientific underpinnings.

10. What alternative regulations (or specific provisions within the regulation) did the Agency consider, and why did it determine that these alternatives were not appropriate? If none, why didn't the Agency consider regulatory alternatives?

For rule 4757-9-02, the counselor professional committee considered allowing all thirty hours of continuing education to be distance learning, but determined that because of the face-to-face nature of the counseling profession at least half of these hours needed to be in person hours.

For rule 4757-9-05, we had a more proscriptive language in the original draft, which was modified based on input from a number of continuing education providers.

11. Did the Agency specifically consider a performance-based regulation? Please explain.

Performance-based regulations define the required outcome, but don't dictate the process the regulated stakeholders must use to achieve compliance.

For rule 4757-9-05, we had a version of the continuing education certificate that would have required a machine printed certificate including the name, but too many agencies had examples of non-pre-registered attendees that could not meet that requirement. We simplified the requirement to state CE providers should provide fully machine printed certificates, but if they could not do so they may hand write the parts needed, see paragraph (B)(2)(k) and (C)(6)(i).

12. What measures did the Agency take to ensure that this regulation does not duplicate an existing Ohio regulation?

The board is the only entity writing rules in this area.

13. Please describe the Agency's plan for implementation of the regulation, including any measures to ensure that the regulation is applied consistently and predictably for the regulated community.

The rules once the filing process is complete are readily available on the Board's web site and a Listserv email will be sent to all licensees with information on the changes. The consistency of the Board's processes is regularly reviewed and any non-standard situations are reviewed by the Board for resolution. As issues arise, they are added to the Professional Standards Committees Agendas for review and discussion and then taken to the full board, if needed, for review, discussion and resolution.

Adverse Impact to Business

14. Provide a summary of the estimated cost of compliance with the rule. Specifically, please do the following:

a. Identify the scope of the impacted business community;

For rules 4757-7-01, 4757-09-02 and 4757-9-05, the regulated community is licensed counselors, social workers and marriage and family therapist and registered social worker assistants and their employers and companies and individuals offering continuing education under the boards rules. For rule 4757-17-01, the regulated community is licensed professional counselors and their employers. For rule 4757-19-04 & 4757-21-03, the regulated community is licensed social workers and their employers. For rules 4757-25-01 & 4757-25-04, the regulated community is licensed marriage and family therapists and their employers.

b. Identify the nature of the adverse impact (e.g., license fees, fines, employer time for compliance); and

For rule 4757-9-05, failure to comply could result in loss of ability to offer continuing education or fines for failure to comply with the rule. For rules 4757-19-04 individuals may spend more study hours and have the expense of a second exam and additional study time.

c. Quantify the expected adverse impact from the regulation.

The adverse impact can be quantified in terms of dollars, hours to comply, or other factors; and may be estimated for the entire regulated population or for a "representative business." Please include the source for your information/estimated impact.

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The changes to 4757-7-01 make it easier for veterans and recently released veterans and spouse of either to maintain or attain their licenses, no adverse impact.

Rule 4757-9-02 broadens the administrative continuing education subject matter that may be used for renewal. This change helps professional counselors in agencies to be upwardly mobile in the new mental health systems of today and tomorrow, no adverse impact.

Rule 4757-9-05 requirements changed primarily for clarity and readability. The change to provide printed certificates is flexible to allow companies and individuals offering continuing education to do them in the most efficient manner for their circumstances. Adverse impact would be for those having failed to comply with the rules once notified may lose the ability to offer continuing education courses to the boards licensees and/or be fined from \$100 up to \$5,000 for one to numerous failures to comply. We have only ever had one company out of hundreds that has lost the right to offer continuing education courses by mutual agreement.

Rule 4757-9-07 adds a new requirement that has been policy for many years that licensees cannot take the same continuing education course more than once within the same renewal period as part of the thirty hour requirement for renewal.

Rule 4757-17-01 had the supervision continuing education changed from six to three hours in this rule effective 1/1/2013, but we missed taking out the supervision continuing education that allowed peer supervision to count for up to three hours of the six continuing education hours required for renewal. Licensees were notified of the change in 2012, but we missed it in the rule change filing, no adverse impact.

Rule 4757-19-04 has an adverse impact on individuals and not businesses that will require LSW applicants to take a separate qualifying exam for MSW qualifying applicants. Currently, these applicants may take the LISW exam and count that for both the initial LSW and initial LISW licenses. Our contract for the exam with the Association of Social Work Boards stresses that recent graduates are not properly prepared to take the advanced generalist or clinical exams for licensure. Additionally, Ohio was one of three out of thirty states that responded to a survey that allowed this practice. The board plans to implement this change effective July 1, 2015 to allow all those current MSW students who were told they could take the LISW exam for both licenses to have that opportunity. The cost of the bachelor's exam is \$230 and the cost of the advanced generalist and clinical exams is \$260. This will cost an applicant a second exam fee and study and preparation expenses that range from \$8 to \$275 for study programs and 10 to 60 hours of study based on input from several social work programs and the National Association of Social Workers Ohio Chapter. Examinees

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with exam anxiety endure greater costs due to multiple failures. The board has identified a source of training for these individuals that has proven successful, but the amount of time and cost varies greatly by the level of anxiety. The Board believes that ensuring applicants are taking an exam more appropriate for their experience level will reduce the number of exam retakes and help to save some applicants money and time.

Rule 4757-21-03 has no adverse impact only minor changes for clarity.

Rule 4757-25-01 has increased internship hours to match the national accrediting body for marriage and family therapy degrees requirement. The vast majority of existing programs already meet this requirement in order to prepare their students for licensure in other states. Current students enrolled with this expectation in nearly all cases. There is a future starting date of January 1, 2015 to ensure students enrolling prior to that date are not negatively impacted. No adverse impact.

Rule 4757-25-04 adds the requirement that half of the face-to-face client hours are with couples and/or families present to be consistent with the relational aspect of the field of marriage and family therapy. The vast majority of other states already meet this requirement in order to prepare their applicants for licensure. No adverse impact.

15. Why did the Agency determine that the regulatory intent justifies the adverse impact to the regulated business community?

For rule 4757-19-04, the adverse impact on applicants of the additional exam was to bring our licensure process into compliance with the national standard and the agreement with the use of the national licensure examination. We put a future implementation date of July 1, 2015 to allow current MSW students to be held harmless. New MSW students will know this up front.

Regulatory Flexibility

16. Does the regulation provide any exemptions or alternative means of compliance for small businesses? Please explain.

These are individual licensee focused in most part. For rule 4757-9-05, companies and individuals offering continuing education are already meeting the requirements of the rule. A few have come into compliance with the printing request and found it was more efficient once in place.

17. How will the agency apply Ohio Revised Code section 119.14 (waiver of fines and penalties for paperwork violations and first-time offenders) into implementation of the regulation?

The Board generally does not fine or penalize for minor paperwork in which case the

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licensee would receive a letter of caution. More serious paperwork violations can result in serious consequences. The Board plans to reference Section 119.14 in the next review of the Board's rule on fines, 4757-1-07.

- 18. What resources are available to assist small businesses with compliance of the regulation?** *The Board and its staff are dedicated to working with members of the regulated community and the public to ensure that the consumers of professional counseling, social work and marriage and family therapy services in Ohio receive safe and effective services from the Board's licensees. The following resources are available:*

Board's mailing address:

50 West Broad Street, Suite 1075

Columbus, Ohio 43215

Board's phone number: 614-466-0912

Board's fax number: 614-728-7790

Board's website: <http://cswmft.ohio.gov>

Board's email: cswmft.info@cswb.state.oh.us

Board's Facebook: <http://www.facebook.com/pages/Ohio-Counselor-Social-Worker-Marriage-and-Family-Therapist-Board/349684261728174>

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*** DRAFT - NOT YET FILED ***

4757-7-01

Renewal of license or certificate of registration.

Any license or certificate of registration issued by the board expires two years from the date it is issued or renewed. The provisions of section 4757.32 of the Revised Code shall apply to all applications for renewal of licenses and certificates of registration.

- (A) The renewal applicant shall file the required renewal forms in a manner prescribed by the board and shall pay the appropriate renewal fee. For the purposes of renewing online, the board shall supply the applicant with an user identification and password. The use of the user identification and password provided by the board is solely the responsibility of the licensee to whom it is issued and shall be limited to filing a renewal application or updating the address. The user identification and password shall constitute the legally recognized signature for the purposes of this rule and may not be transferred, distributed or shared with any other person. Any person who knowingly makes a false statement on a renewal application or electronic application may be found guilty of falsification under section 2921.13 of the Revised Code, a misdemeanor of the first degree.
- (B) The renewal applicant shall demonstrate in a manner prescribed by the board that the applicant has met the continuing professional education requirements for any license or certificate of registration that the applicant holds.
- (1) The continuing professional education required for renewal shall have been acquired subsequent to the issue of, or the last renewal of, the license or certificate of registration.
- (2) Renewal applicants who hold two or more licenses issued by this board shall satisfy the continuing professional education requirements for each license they wish to renew. Continuing professional education used to renew one license or certificate of registration issued by this board may be used to renew another license or certificate of registration if it is approved for that license or certificate of registration.
- (3) The board may waive the continuing professional education requirements for persons unable to meet them because of disability, residence abroad, military service, or other reasonable cause. Such requests for waiver shall be accompanied by documentation acceptable to the board per paragraph (D) of this rule.
- (C) Except as stated in paragraph (B)(3) of this rule, the licenses or certificates of registration of persons who do not meet their continuing professional requirements shall expire two years from the date of issuance. The board shall restore any license

or certificate of registration that has been lapsed for two years or less upon application by the former licensee or registrant, documentation that the continuing professional education requirement for renewal has been met, and payment of the renewal fee. That restoration shall be for the remainder of the two years from the expiration date of that license. Any licensee eligible to restore their license may not apply for a new license. Many licensees may be confused by the term 'restoration' or 'restore', which is often thought of as a late renewal, but is actually a restoration of their license from that day forward for the remainder of the two year original month and day of licensure expiration.

- (1) Thirty hours of continuing professional education shall be required to restore a license or certificate of registration that has been lapsed, unless it is the first renewal of an individual who was licensed as a social worker with a related degree. Those individuals shall be required to complete the social work coursework requirement.
- (2) For all restorations, licensees and registrants shall complete three hours of the thirty required hours in the area of social work, counseling, or marriage and family therapy ethics, whichever applies.
- (3) Licensees who fail to restore within two years following the expiration date of their license are not eligible to restore their license per the third paragraph of section 4757.32 of the Revised Code. These expired licensees in order to be licensed shall apply as if never licensed. They shall comply with the current education, examination, supervision and other requirements as applicable for the license desired and meet all requirements of rule 4757-1-04 of the Administrative Code. This paragraph does not apply for licensees and registrants who meet paragraph (C) (4) of this rule.
- (4) Per Section 5903.10 of the Revised Code, a licensee or registrant shall be granted a renewal of the license or certificate by the board at the usual fee without a late fee as required by rule 4757-1-05 of the Administrative Code, if not otherwise disqualified because of mental or physical disability, and if either (a) or (b) of this paragraph applies:
 - (a) The license or registration was not renewed because of the holder's service in the armed forces of the United States or a reserve component of the armed forces of the United States, including the Ohio National Guard.
 - (b) The license or certificate was not renewed because the holder's spouse served in the armed forces of the United States or a reserve component of the armed forces of the United States, including the Ohio National Guard, and the service resulted in the holder's absence from this state.
 - (c) A renewal shall not be granted under this paragraph unless the holder or

the holder's spouse, whichever is applicable, has presented satisfactory evidence of the service member's discharge under honorable conditions or release under honorable conditions from active duty or National Guard duty within six months after the discharge or release.

- (D) Waiver of continuing education requirements shall be processed as delineated in this rule. Waivers shall be requested using forms delineated by the board. Waiver of continuing education may be for the full thirty hours or any part thereof or a partial waiver of any or all of the hours that shall be completed by a future date per a consent agreement. Waivers should be requested with at least thirty days lead-time to allow processing prior to the expiration of a license for those licensees practicing in Ohio. A licensee whose license renewal date has passed shall not practice until they have renewed or they shall be in violation of section 4757.02 of the Revised Code and subject to administrative action up to and including revocation of their license.
- (1) Licensees who are disabled during a renewal period may receive a full waiver for renewal following disability. Proof of inability to work shall be provided for this waiver. A waiver shall be required for each subsequent renewal. Once the licensee is practicing, he/she shall be required to complete the continuing education requirements unless they are granted another waiver.
- (2) Licensees residing abroad may take appropriate continuing education courses in that country and submit post approval requests per paragraph (C) of rule 4757-9-05 of the Administrative Code. Should appropriate courses not be available they may apply for a complete or partial waiver of continuing education hours needed for renewal. Once he/she returns to the United States the licensee shall complete the required continuing education hours for the next renewal.
- (3) Military members on active duty outside of Ohio may receive a complete or partial waiver of all continuing education hours upon providing proof of orders outside of Ohio. Military members in Ohio may provide proof that they are unable to complete continuing education in order to receive a full or partial waiver of continuing education hours required.
- (4) Per Section 5903.12 of the Revised Code, a licensee or registrant upon application that is accompanied by proper documentation certifying that the licensee has been called to active duty as described in subparagraph (a) and/or (b) of this section during the current or a prior reporting period and certifying the length of that active duty, shall have the continuing education response time extended for the current reporting period by an amount of time equal to the total number of months that the licensee spent on active duty during the current reporting period. For purposes of this division, any portion of a month

served on active duty shall be considered one full month.

(a) The person is a member of the Ohio National Guard, the Ohio military reserve, the Ohio naval militia, or a reserve component of the armed forces of the United States.

(b) The person has been called to active duty, whether inside or outside the United States, because of an executive order issued by the President of the United States or an act of Congress, or upon the order of the governor, for a period in excess of thirty-one days.

~~(4)~~(5) Other reasonable causes may be submitted in writing requesting full or partial waiver of continuing education or future completion of continuing education hours needed to complete the thirty hours required.

~~(5)~~(6) If a waiver is granted, the licensee shall renew immediately, and their file annotated as to the status of their waiver and any due date for completion of additional continuing education hours. Any licensee required to complete future continuing education hours shall complete a consent agreement prior to renewing their license.

~~(6)~~(7) If a licensee is not practicing, a waiver shall not be granted unless the licensee is a military member or disabled and unable to work.

Effective:

R.C. 119.032 review dates:

Certification

Date

| | |
|------------------------|--|
| Promulgated Under: | 119.03 |
| Statutory Authority: | 4757.33 |
| Rule Amplifies: | 4757.32, 4757.33, 5903.10, 5903.12 |
| Prior Effective Dates: | 5/22/86, 7/3/97, 2/9/98, 9/20/02, 4/10/04, 1/10/08, 11/2/08 |

*** DRAFT - NOT YET FILED ***

4757-9-02

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

For professional counselors and for professional clinical counselors, the requirements for license renewal are thirty clock hours of approved continuing professional education in the following program areas of counselor training listed in section 4757.22 of the Revised Code: human growth and development; counseling theory: counseling techniques; group dynamics, processing, and counseling; appraisal of individuals; research and evaluation; professional, legal and ethical responsibilities; social and cultural foundations; lifestyles and career development; clinical ~~psychopathology~~ ~~psychopathology~~, personality and abnormal behavior; evaluation of mental and emotional status; diagnosis of mental and emotional disorders; methods of intervention and prevention of mental and emotional disorders; treatment of mental and emotional disorders; supervision, and administration. Administration subjects for continuing education are defined in paragraph (F)(1)(a)(iii) of rule 4757-17-01 of the Administrative Code and may also include courses that directly relate to service delivery, practice management, and client care, which are acceptable for renewal and may be counted toward the twenty-four or twenty-seven continuing education hours that are not ethics and/or supervision related. Some current content areas that would meet this are: healthcare reform, insurance reform, federal parity, service delivery models, bridging the cultural gap, impact of financing, health homes, primary and behavioral health integration and use and integration of health information technology.

- (A) For those professional clinical counselors with supervising counselor status, three of the thirty clock hours shall be in supervision.
- (B) For all renewals three of the thirty hours shall be taken in the area of legal and ethical responsibilities for professional counselors.

Effective:

R.C. 119.032 review dates: 12/17/2017

Certification

Date

Promulgated Under: 119.03
Statutory Authority: 4757.10, 4757.33
Rule Amplifies: 4757.33
Prior Effective Dates: 5/22/86; 7/3/97; 9-20-02, 9/20/07

*** DRAFT - NOT YET FILED ***

4757-9-05

Approval of continuing professional education programs required for renewal of licenses and certificates of registration issued by the board.

The goals of the board's continuing professional education requirements are to assist licensees: in maintaining and expanding professional competence and expertise, in becoming aware of new professional issues and developments; and in providing responsible, quality and competent service to clients and community. Continuing education to promote personal growth of the licensee shall not be accepted.

Continuing education credits may be obtained in several ways: attendance at programs offered by approved providers, approved programs, post-approved programs, publications as cited in paragraph (B) of rule 4757-9-06 of the Administrative Code and presentations as cited in paragraph (C) of rule 4757-9-06 of the Administrative Code. The board or its designee shall approve providers, programs, and offer post-program approval under the following guidelines.

Any individual or business providing continuing education courses for this board's licensees shall comply with federal law title III of the Americans with disabilities act "ADA." Continuing education programs shall be offered in locations and in a manner, which are accessible to persons with disabilities, or offer alternative accessible arrangements for such persons. Individuals or businesses who hold provider status or are approved to provide individual programs are required to provide auxiliary aides and services that are necessary to ensure equal access to the goods, services, facilities, privileges or accommodations that it offers unless an undue burden or a fundamental alteration would result. Issues on undue burden or disability accommodations should be addressed to the federal department of justice "ADA" technical assistance section. The technical assistance section can be reached through searching online for the contact number. In May 2007 the number was 800-514-0301 and online at www.ada.gov.

(A) The following meanings shall apply to all continuing education rules promulgated by the counselor, social worker, and marriage and family therapy board.

- (1) "Provider Status" means an individual or entity granted approval to develop continuing education program offerings without prior approval from the board for each program offered. All continuing education offerings shall utilize the same provider authorization number assigned by the board. A licensed individual shall review each CEU program as noted on the provider application or most recent renewal application on file with the board.
- (2) "Co-sponsorship" means an approved provider works jointly with another entity to develop and offer a joint program by both entities. The continuing education program developed may use the approved provider's CEU provider

number and the approved provider shall keep all records as listed in paragraph (B)(5)(h) of rule 4757-9-05 of the Administrative Code. Only the board may authorize a CEU program when an entity with provider status has not been directly involved as a co-sponsor.

(B) Guidelines for continuing education program approval:

- (1) Academic courses offered in accredited education institutions by counseling, social work, and marriage and family therapy degree programs as defined in paragraphs (A) of rule 4757-13-01, (C)(1)(g) of rule 4757-19-01 and (A)(1) of rule 4757-25-01 of the Administrative Code, are automatically granted program approval. Transcripts and/or grade reports shall be used to document this training. If the licensee audits an approved course, a letter from the professor shall be required to verify actual number of hours of attendance, which shall be used to determine hours of continuing education credit granted.
- (2) Approved programs may be sponsored by departments of accredited educational institutions; national, regional, state, or local professional organizations or associations; public or private human service agencies or organizations; private consultants; or individuals. In order to obtain approved status from the board, a program shall meet the following requirements:
 - (a) The program shall be presented by competent individuals as documented by appropriate academic training and professionally recognized experience. Presenters should have an identifiable involvement with human services. In approving a particular presenter the board shall be guided by the following range of presenter qualifications.
 - (i) Counselors, social workers or marriage and family therapists with appropriate expertise in the content area shall clearly be accepted.
 - (ii) Related professionals with the ability to connect content to counseling, social work or marriage and family therapy practice shall usually be accepted.
 - (iii) Expert presenters with no apparent link to counseling, social work and marriage and family therapy, or related practice may or may not be acceptable based upon content to be presented and intended audience.
 - (iv) Presenters with no apparent professional qualifications nor link to

social work, counseling, marriage and family therapy, or human services shall not be accepted.

- (v) Presenters providing training in practice areas that would require licensure shall show evidence of current licensure in Ohio or another state.
- (b) The program shall meet the professional needs of the intended clientele, which shall include counselors, social workers, and/or marriage and family therapists.
- (c) The program shall have a minimum duration of one clock hour.
- (d) The program shall have written goals and objectives which are responsive to the needs of prospective counselor, social worker and marriage and family therapist attendees. Applications shall include agendas with content and timeframes for each session of the program.
- (e) The program shall be related to counseling, social work and/or marriage and family therapy content areas as listed in rules 4757-9-01, 4757-9-02 and 4757-9-03 of the Administrative Code. Individuals or organizations seeking approval for programs with content, which is not clearly related to these content areas for generalist theory or practice or specifically referenced in counseling, social work and marriage and family therapy accredited academic training programs may be required to provide the following additional information to substantiate the direct applicability of the content to social work, marriage and family therapy, and/or counseling professionals.
 - (i) Explain and justify the content applicability to counseling, social work and marriage and family therapy theory or practice and the implications for generalist practice.
 - (ii) Programs with content in areas or subjects not specifically taught or referenced in counseling, social work and marriage and family therapy curriculum, in order to be approved, require inclusion with the application of peer reviewed journal articles, which validate the direct application to counselors, social workers and marriage and family therapists of the theory or intervention, which is the focus of the continuing education program.
 - (iii) Peer reviewed journals shall meet the following criteria: (a) have an

independent editorial board, (b) be sponsored by a national professional society for counseling, social work, marriage and family therapy, psychology or psychiatry, and (c) have paid subscribers. Articles appearing in publications dealing with the specific program topic area shall not constitute validation.

- (f) The program shall be disseminated via appropriate instructional methods, such as lecture, group discussion, video, film, computer or other electronic means, written materials, or interactive teleconferencing.
- (g) The program shall include an evaluation component directly related to its stated goals and objectives.
- (h) The program shall be offered in a place and manner which is accessible to persons who are physically challenged.
- (i) The program approval request shall be submitted for review, on a form designated by the board, at least sixty days prior to the scheduled program date. Program approval requests received on or after the date of the program shall be denied.
- (j) The program's promotional information shall state that program approval has either been applied for or has been granted, and to which license(s) renewal requirements the program shall apply.
- (k) The sponsor of the program shall provide program participants with printed certificates of completion, which contain the following information in subparagraphs (i) through (vii). Attendees shall not leave with a certificate without their name on it.:
 - (i) The title and date(s) of the program and the board's program approval number;
 - (ii) The name of the sponsoring agency or organization;
 - (iii) The name of the participant and the number of clock hours of continuing professional education earned by the participant;
 - (iv) The signature of the instructor or the official representative of the sponsoring organization;

- (v) The hours of ethics, distance learning and/or supervision included in the program, if any; and
 - (vi) A blank space on the certificate of completion in which the participant may place their registration or license number.
 - (vii) Sponsors should provide certificates with attendee names on hard copy or electronic forms. If this is not possible, providers may hand write names on the certificates.
- (l) The sponsor shall ensure that the program conforms to the planned hours of attendance, attendance certificates are given to attendees after the end of the program and that any late arrivals or early departees are given certificates accurately reflecting their actual times of attendance.
 - (m) The sponsor shall maintain records of program content, presenter qualifications and individual participation, and individual evaluation forms for five years and make such records available, if the board requests them;
 - (n) Applicants shall use the form prescribed by the board for approval of the continuing education program. Applicants shall pay a fee set in rule 4757-1-05 of the Administrative Code for each program submitted and each renewal.

(C) Guidelines for provider approval:

- (1) Approved provider status for newly approved providers shall be granted for a one-year period and is subject to renewal for two year periods if the provider meets the requirements of this rule.
- (2) Providers for counselor and marriage and family therapist programs are not independent authorizing entities for CEU programs offered by other entities. Providers for social work programs are not independent authorizing entities for CEU programs offered by other entities except that national social work associations may be approved as independent providers per paragraph (D) of this rule. CEU offerings that include outside presenters, that are not co-sponsorships, shall be submitted separately and independently to the board for approval. If approved, that program shall use the individual program number of the applying entity.
- (3) Providers may use their own approval numbers for presentations by this board's

staff members, for example ethics or licensing presentations

- (4) The board may refuse to renew the approved status of any provider who fails to comply with the requirements of this rule. Approved provider status may be withdrawn for cause.
- (5) Programs offered by a provider while that provider does not have approved status shall not be accepted by the board toward fulfillment of license renewal requirements unless program approval for such programs was obtained as set forth in this rule.
- (6) The board may grant provider status, which may include but are not limited to: counseling, social work and marriage and family therapist degree programs, national regional, state, or local professional organizations, public or private human service agencies, private consultants or individuals. The applicant for approved provider status shall meet the following requirements:
 - (a) Make application for approval status on a form provided by the board at least two months prior to the date of the first scheduled program offering. A list of proposed programs and program goals shall be included with the application.
 - (b) Submit to the board, no later than two months before the end of the probationary period, a synopsis of all programs during the previous ten months;
 - (c) Apply for renewal of approved provider status two months prior to the desired two-year period;
 - (d) Provide or arrange for appropriate educational facilities and instructional aids and offer programs and facilities that are accessible to persons who are handicapped.
 - (e) Have program presenters who have the professionally recognized skills to conduct the programs being offered in accordance with paragraph (A) of this rule;
 - (f) Conduct programs that satisfy one or more of the program areas in counseling, social work or marriage and family therapy as defined in rules 4757-9-01, 4757-9-02 and 4757-9-03 of the Administrative Code and/or in counseling, social work or marriage and family therapy as defined in division (A), (C) or (H) of section 4757.01 of the Revised

Code;

- (g) Include an evaluation component in all programs offered;
- (h) Maintains records of program content, presenter qualifications and individual participation, and individual evaluation forms for five years and make such records available, if the board requests them;
- (i) ~~Furnish to each participant a certificate of completion that includes the following information:~~The sponsor of the program shall provide program participants with certificates of completion, which contain the information in subparagraphs (i) through (vi).
 - (i) Name of the provider and the approved provider number;
 - (ii) ~~Enter the~~ The name of the participant and provide a blank space on the certificate of completion in which the participant may place ~~their~~ his or her registration or license number;
 - (iii) The title and date(s) of the program;
 - (iv) The hours of ethics, distance learning and/or supervision included in the program if any;
 - (v) The signature of the instructor or the official representative of the sponsoring organization; and
 - (vi) The number of clock hours of continuing professional education earned by the participant.
 - (vii) Sponsors should provide certificates with attendee names on hard copy or electronic forms. If this is not possible, providers may hand write names on the certificates.
- (j) Indicate, on any promotional literature disseminated, the provider number issued by the board and the license(s) renewal requirements to which the program(s) shall apply.
- (k) Each program shall have review and or input by a counselor, social worker and/or marriage and family therapist as appropriate.

- (l) Provider status shall not be approved for applicants that plan to provide less than five programs during the initial approval year nor renewed for applicants that plan to offer less than eight programs during a two-year renewal period. These applicants should request individual program approvals.
 - (m) The provider shall ensure that the program conforms to the planned hours of attendance, attendance certificates are given to attendees after the end of the program and that any late arrivals or early departees are given certificates accurately reflecting their actual times of attendance.
 - (n) Applicants shall use the form prescribed by the board for approval of the continuing education provider status. Applicants shall pay a fee set in rule 4757-1-05 of the Administrative Code for each provider application submitted or renewed. Initial provider status is valid for one year from date of approval and renewals are valid for two years.
- (D) Guidelines for continuing education program advertising: All advertising for board approved programs by approved continuing education providers and program sponsors shall clearly indicate the target audience of any program being advertised. A provider or sponsor offering continuing education programs shall include:
- (1) Approved for counselors and/or social workers and/or marriage and family therapists each listed as appropriate;
 - (2) If ethics or supervision, then include: Approved for number of hours of ethics and/or number of hours of supervision each listed as appropriate; and approved for counselors and/or social workers and/or marriage and family therapists each listed as appropriate.
- (E) The board has the right to have a board employee attend unannounced any approved continuing education program offered under this rule. The staff member or board member attending the program may not claim continuing education credit for the course without paying the requisite fee, if any.
- (F) Social work association provider approval and provider status:
- (1) The board approves and adopts by reference in these rules the association of social work board's approval process for continuing education providers set forth in the publication entitled "ACE Provider Guidelines," effective April 12, 2004, which is available from the association of social work boards (ASWB), 400 south ridge parkway, suite b, Culpeper, VA 22701 at no cost

on the association's website at <http://www.aswb.org/SWL/conteducation.asp>. A link to the guidelines ~~are~~ is available on the board's web site under social work forms.

- (2) Any course accredited by the ASWB shall be accepted by this board for continuing social work education. If the course materials say "ACE Approved" or "approved as a provider for continuing education by the Association of Social Work Boards," it is acceptable.
- (3) The board approves and adopts by reference in these rules the national association of social workers (NASW) continuing education approval program set forth in the publication entitled "Continuing Education Approval Program," ~~effective 2006 of August 2010~~, which is available from the national association of social workers, 750 first street, NE, ~~suite~~ Suite 700, Washington, DC 20002-4241 at no cost on the association's website at ~~<http://www.socialworkers.org/ce/approval.asp>~~ <http://socialworkers.org/ce/approval/apply.asp>. A link to the guidelines is available on the board's web site under social worker forms.
- (4) ~~Any course~~ Courses accredited by NASW and/or NASW Ohio chapter shall be accepted by this board for continuing social work education, provided that they are in compliance with this rule. If the course materials say "NASW Approved" with a NASW approval number or "NASW State Ohio Chapter Approved" with a NASW Ohio chapter approval number, it is acceptable.
- (5) Other national social worker associations may apply for similar approval. In order to be approved they shall provide proof that their programs are substantially similar to the ASWB and/or NASW continuing education approval processes.
- (6) The social worker professional standards committee shall review the provider status of the associations under this paragraph as part of Chapter 119. of the Revised Code five year rule review process.

(G) Post program approval:

- (1) Social work licensees or registrants shall apply on a form prescribed by the board for post-approval for relevant journal articles; books; presentations of in-service training workshops, seminars and/or conference presentations; distance learning; out of state continuing professional education programs; and/or coursework in related disciplines.

- (2) Counselor licensees shall apply on a form prescribed by the board for post-approval for relevant journal articles; books; presentations of in-service training workshops, seminars and/or a conference presentations; distance learning; out of state continuing professional education programs; and/or coursework in related disciplines.
- (3) Licensees shall apply for post-program approval, on a form designated by the board, within ninety days of completing a program.
- (4) Marriage and family therapists may apply on a form prescribed by the board for post-approval for relevant journal articles; books; presentations of in-service training workshops, seminars and/or conference presentations; distance learning; out of state continuing professional education programs; and/or coursework in related disciplines.
- (5) To obtain a post-program approval, the licensee shall provide the following:
 - (a) Appropriate information needed for board review of journal articles; books; and/or presentations of in-service training workshops, seminars and/or conference presentations; or
 - (b) Appropriate information needed for board review of distance learning, out of state continuing professional education programs and/or coursework in related disciplines including:
 - (i) Documentation that the program presenter(s) met the requirements of paragraph (B)(2)(a) of this rule; and
 - (ii) A copy of the program brochure and other documentation to demonstrate that the program met the requirements of paragraphs (B)(2)(b) to (B)(2)(f) of this rule; and
 - (iii) A certificate of completion, transcripts, grade card, or signed statement from the presenter to demonstrate the licensee's attendance at the program or course.
 - ~~(a) Documentation that the program presenter(s) met the requirements of paragraph (A)(2)(a) of this rule;~~
 - ~~(b) A copy of the program brochure and other documentation to demonstrate that the program met the requirements of paragraphs (A)(2)(b) to (A)(2)(f) of this rule;~~
 - ~~(c) A certificate of completion, transcripts, grade card, or signed statement~~

~~from the presenter to demonstrate the licensee's attendance at the program or course.~~

Effective:

R.C. 119.032 review dates:

Certification

Date

| | |
|------------------------|--|
| Promulgated Under: | 119.03 |
| Statutory Authority: | 4757.33 |
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| Prior Effective Dates: | 5/22/86; 9/26/88; 7/3/97; 7/10/00; 4/10/04; 9/20/07; 10/18/09; 9/1/10; 4/1/11 |

*** DRAFT - NOT YET FILED ***

4757-9-07

**Documentation of continuing professional education required
for renewal of a license or certificate of registration.**

Each licensee shall provide, in a manner prescribed by the board, evidence that the licensee has satisfied the continuing professional education requirements for renewal of a license or certificate of registration.

- (A) Courses taken for credit at accredited educational institutions shall be verified by transcripts or grade cards. Completion of non-credit and audited courses shall be verified by certificates of completion or by signed statements from instructors.
- (B) All other continuing professional education shall be documented by a copy of certificates of completion furnished by the provider. Such certificates shall contain the information required by paragraph (B)(5)(i) of rule 4757-9-05 of the Administrative Code. In addition, the licensee shall record his/her license or certificate number in the appropriate place on the certificate of completion.
- (C) Copies of publications presented for continuing professional education shall be furnished to the board. In the case of journal articles, a copy of the journal's page showing the names of its editorial review board shall be included to document that the journal is referred.
- (D) Licensees may not attend the same program twice within a two-year renewal period. If a program has multiple parts, the title of the program shall specify part numbers or letters for a multi-part series of programs, e.g. "Title" Part 1, "Title" Part 2, etc.

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Certification

Date

| | |
|------------------------|--------------------------|
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4757-17-01

Counseling supervision.

This rule applies to all professional counselors registered as clinical residents who are working toward licensure as professional clinical counselors and counselor trainees seeking licensure under rules 4757-13-01 and 4757-13-03 of the Administrative Code. This rule also applies to professional counselors who are diagnosing and treating mental and emotional disorders under the work supervision of an independently licensed mental health professional.

(A) Definition of supervision:

- (1) "Training supervision" is supervision of all individuals who are gaining the experience required for a license as a professional clinical counselor, or a license as a professional counselor under rule 4757-13-01 of the Administrative Code, or a counselor trainee registered with the board and enrolled in a practicum or internship class under paragraph (E) of this rule. This type of supervision requires extensive time and involvement on the part of the supervisor in order to help supervisees improve their skills and/or learn new skills. Training supervision shall include an average of one hour of face-to-face contact between the supervisor and supervisee for every twenty hours of work by the supervisee. Training supervision shall be face-to-face individual and/or triadic for counselor trainees. Training supervision shall be face-to-face individual or group supervision for professional counselors.
- (2) "Work supervision" is supervision required of professional counselors who are engaging in the diagnosis and treatment of mental and emotional disorders and who are not registered with the board for training purposes. Professional counselors shall disclose to their clients in writing that they are engaging in the diagnosis and treatment of mental and emotional disorders under the supervision of an appropriately licensed mental health professional. The supervisee shall also disclose to their clients in writing the name(s) of the said professional(s).
- (3) "Group supervision" is board approved supervision that consists of not more than six supervisees for one supervisor.
- (4) "Triadic supervision" is composed of a supervisor and two counselor trainees.

(B) Purposes of training supervision:

- (1) To provide for the protection of consumer and client welfare;

- (2) To provide that supervisees function within the limits of their competence; and
- (3) To provide training in activities relevant to the supervisee's position and academic background.

(C) Requirements pertaining to training supervision:

- (1) A professional clinical counselor or professional counselor providing supervision shall:
 - (a) Have demonstrated competence in the area in which they are supervising;
 - (b) Have training in supervision theory and practice;
 - (c) Have training in legal and ethical issues relevant to counseling;
 - (d) Have training in multicultural counseling competencies as defined by the board;
 - (e) Have a board issued supervision designation; and
 - (f) Complete and forward to the board all supervision evaluation forms required by the board within thirty days of receipt of the form from a supervisee.
- (2) Training supervisees may not choose a supervisor who is a family member or who is related to them in any way.
- (3) Professional counselors who are registered with the board for training supervision and engaging in the supervised diagnosis and treatment of mental and emotional disorders shall not collect fees in their own names. All billings shall be in the name of the employing agency or the licensed supervisor.
- (4) The professional clinical counselor with supervision designation is responsible for all diagnoses, change in diagnoses, individualized services plans, and correspondence to any third party outside of the agency.
- (5) Professional counselors who engage in the diagnosis and treatment of mental and emotional disorders shall do so under the work supervision of a professional clinical counselor, a psychologist, a psychiatrist, or an

independent social worker with a clinical area of competence. All clinical residents engaging in training supervision for licensure as professional clinical counselors shall be under the supervision of a professional clinical counselor with supervision designation. All counselor trainees engaging in training supervision for licensure as professional counselors shall be under the supervision of a professional counselor with supervision designation or professional clinical counselor with supervision designation except that a professional clinical counselors with supervision designation shall supervise the counselor trainee when diagnosing and treating mental and emotional disorders. Requests for exceptions to this rule for training supervision, due to hardship, shall be made in writing to the board. A board approved supervisor shall not supervise more than six supervisees who are registered at one time with this board. Training supervision provided under paragraph (E)(1) of this rule shall count toward the six supervisee limit.

- (6) Individuals in the process of completing the supervised experience required for licensure may be employed on a paid basis as long as they are practicing within the scope of practice of the license for which they are applying, and are properly licensed or registered with the board.
 - (7) Supervisees presenting supervision experience from another state shall provide the vita of their supervisors to demonstrate that their supervisors are licensed to supervise the diagnosis and treatment of mental and emotional disorders and thus are acceptable to the board.
 - (8) In the event that a supervisee is practicing under work supervision while registered for training supervision, the rules for training supervision shall supersede the rules for work supervision.
 - (9) Nothing in this rule shall prevent professional counselors from practicing independently within their scope of practice.
- (D) Registration of training supervision for those seeking professional clinical counselor licensure:
- (1) A written training supervision agreement, on a form designated by the board, shall be filed with the board at the beginning the training experience. All applications for clinical resident shall be made per procedures established by the counselor professional standards committee. Changes per paragraph (D)(4) of this rule to the clinical resident status shall be made in the manner required by the counselor professional standards committee. The status of these applications shall not be "active" until the supervision documentation is complete in its entirety and shall be verified from the board online license

verification system.

- (2) This form shall be used to obtain "clinical resident" status as defined in paragraph (S) of rule 4757-3-01 of the Administrative Code to enable the clinical resident to accumulate and document hours toward professional clinical counselor licensure.
 - (3) Filing of the written training supervision agreement with the board shall be the sole responsibility of the licensee or registrant.
 - (4) Records of training supervision shall be maintained by the supervisee and made available to the board upon request. The supervision records shall contain information concerning the dates/times of supervision (e.g. "8-19-08 from 2:00-3:00 p.m."), content and goals of supervision and shall be signed by the supervisor at least quarterly.
 - (5) In the event that it is necessary for the supervisee to change or add supervisors, sites or duties the supervisee shall be responsible to contact the board within thirty days of such a change and provide the following information:
 - (a) Notification of a change or addition to supervisors, sites, duties, licensure, or registration renewal status of either supervisor, clinical resident or professional counselor license of the clinical resident; and
 - (b) Clinical residents shall partially complete a "supervision evaluation and verification" form with data elements required from supervisee within thirty days of changing supervisors and provide that form for final completion by their former supervisor to document hours accrued. The supervisor shall complete that form and submit it to the board within thirty days of receipt from the supervisee.
- (E) Registration of training supervision for practicum or internship for counselor trainee status:
- (1) Students enrolled in a practicum or internship prior to receiving their counseling degree are eligible for "counselor trainee" status as defined in paragraph (T) of rule 4757-3-01 of the Administrative Code, if they are doing so in Ohio. Students are not required by the board to have counselor trainee status to complete their practicum or internship requirements, including the provision of supervised counseling services, but may be required to obtain registration as a counselor trainee by the supervising agency as a condition of acceptance for practicum or internship. A student may also voluntarily choose to apply

for registration as a counselor trainee. Applicants for counselor trainee status shall:

- (a) Be of good moral character;
 - (b) Provide criminal records checks per paragraph (E) of rule 4757-1-04 of the Administrative Code;
 - (c) Apply on a form specified by the board and comply with rule 4757-4-01 of the Administrative Code;
 - (d) Provide proof of enrollment in a master's or doctoral-level level practicum or internship course. A copy of the university's online enrollment document shall be acceptable; or a letter, email or facsimile from the professor, counseling office or registrar stating the applicant is enrolled;
 - (e) Applicants shall document proof of counselor trainee status using the board's online license verification system at <https://license.ohio.gov>. Trainee status shall be active only within the dates displayed on that system. The dates of that registration shall be up to two months past the end of the term enrolled;
 - (f) Provide proof of enrollment as specified in paragraph (E)(1)(c) of this rule for their existing registration to be extended through the dates of that course. A separate application may be required for practicum and internship;
 - (g) Have the same scope of practice as a professional counselor in rule 4757-15-01 of the Administrative Code, but require much closer supervision during the training process; and
 - (h) Counselor trainee status is not a substitute for licensure and is only valid at the school approved field placement site(s) where the student is completing his or her field placement, and through the dates listed on the board's online license verification system.
- (2) Ensuring the counselor trainee is properly registered and listed on the licensure web site <https://license.ohio.gov> is primarily the responsibility of the counselor trainee, but shall be monitored by the work place supervisor or agency at time of placement and subsequent extensions of counselor trainee status.

(F) Requirements for applying for a supervising counselor designation.

(1) Professional clinical counselors applying for supervising counselor status shall meet the following minimum requirements. Professional counselors who hold the supervision designation prior to January 1, 2013 may continue to hold that designation as long as they maintain it in good standing.

(a) Document a minimum of twenty-four hours of academic preparation or board approved continuing education coursework in counselor supervision training including training six hours in each area as follows:

- (i) Assessment, evaluation and remediation which includes initial, formative and summative assessment of supervisee knowledge, skills and self-awareness; components of evaluation e.g. evaluation criteria and expectations, supervisory procedures, methods for monitoring (both direct and indirect observation) supervisee performance, formal and informal feedback mechanisms, and evaluation processes (both summative and formative), and processes and procedures for remediation of supervisee skills, knowledge, and personal effectiveness and self-awareness;
- (ii) Counselor development which includes models of supervision, learning models, stages of development and transitions in supervisee/supervisor development, knowledge and skills related to supervision intervention options, awareness of individual differences and learning styles of supervisor and supervisee, awareness and acknowledgement of cultural differences and multicultural competencies needed by supervisors, recognition of relational dynamics in the supervisory relationship, and awareness of the developmental process of the supervisory relationship itself;
- (iii) Management and administration which includes organizational processes and procedures for recordkeeping, reporting, monitoring of supervisee's cases, collaboration, research and evaluation; agency or institutional policies and procedures for handling emergencies, case assignment and case management, roles and responsibilities of supervisors and supervisees, and expectations of supervisory process within the institution or agency; institutional processes for managing multiple roles of supervisors, and summative and formative evaluation processes; and

- (iv) Professional responsibilities which includes ethical and legal issues in supervision includes dual relationships, competence, due process in evaluation, informed consent, types of supervisor liability, privileged communication, consultation, etc.; regulatory issues include Ohio laws governing the practice of counseling and counseling supervision, professional standards and credentialing processes in counseling, reimbursement eligibility and procedures, and related institutional or agency procedures.
- (b) Each professional clinical counselor shall obtain a minimum of one year and fifteen hundred hours of clinical experience, post professional clinical counselor licensure, which shall include the diagnosis and treatment of mental and emotional disorders.
- (c) The fifteen hundred hours shall include at least one supervision of supervision experience. The professional clinical counselor in training shall work with the same supervisor for at least five hours learning the skills to become a supervisor. The professional clinical counselor in training shall work (as a supervisor-in-training) with the same supervisee (licensee who needs supervision) for a minimum of ten hours while learning from and working with a professional clinical counselor who has a supervising counselor designation. All supervision, and supervision of supervision addressed in this rule shall be face-to-face.
- (d) Comply with the 2005 American counseling association "ACA" ethical standards pertaining to the supervisory relationship.
- (e) Document applicant's familiarity with significant legal, ethical, and clinical issues relevant to the supervisory relationship on a form prescribed by the board.
- (2) All supervising counselors shall maintain supervising counselor status by obtaining six hours of counselor professional standards committee approved continuing professional education in supervision. ~~Three of the required six hours may be met through a minimum of six hours of peer supervision, which shall address one or more core supervision content requirements and shall be with other licensed mental health providers, and shall be documented as such, including participants' names, topics discussed and dates met.~~
- (3) Professional clinical counselors engaged in training supervision shall be called "supervising counselors" per paragraph (Q)(9) of rule 4757-3-01 of the

Administrative Code. They shall have adequate training, knowledge, and skill to render competent clinical supervision and shall meet the criteria for work and training supervision as defined in paragraphs (A)(1) and (A)(2) of this rule. Professional counselors engaged in training supervision shall be called "supervising counselors" per paragraph (Q)(8) of rule 4757-3-01 of the Administrative Code. They shall have adequate training, knowledge, and skill to render competent non-clinical supervision and shall not supervise the diagnosis and treatment of mental and emotional disorders.

Effective:

R.C. 119.032 review dates: 12/17/2013

Certification

Date

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*** DRAFT - NOT YET FILED ***

4757-19-04

Social worker examination policy.

- (A) Applicants shall have applied for the applicable license per rules 4757-1-04 and 4757-19-01 or 4757-19-02 of the Administrative Code and shall be approved prior to sitting for the examinations. When an applicant is approved they shall receive an approval letter from the board. This letter shall be presented to the testing site for admission to the examination. The letter shall be in effect for six months. If the examination is not taken within the time frame applicants shall request in writing another admission letter.
- (1) Applicants who have a bachelor, master or doctoral degree from an accredited educational institution may provide a student copy of their transcript(s) via mail, email or facsimile in order for the board to make an examination approval or disapproval decision.
- (2) Applicants in the last term prior to receiving their bachelor, master or doctoral degree in social work from an accredited educational institution may provide a letter, facsimile or email from a professor, the social work department or registrar that states the student is on track to graduate at the end of that term in order for the board to make an examination approval or disapproval decision.
- (3) Applicants upon completion of the examination should know that the board receives the official exam reports directly and promptly from the association of social work boards, "ASWB."
- (4) After July 1, 2015 all applicants for the social worker license shall take the bachelor's exam.
- (5) After July 1, 2015, applicants for the independent social worker exam shall have completed at least eighteen months of their supervised practice required in paragraph (B)(2) of rule 4757-19-02 prior to receiving pre-approval for taking the clinical or advanced generalist exam.
- (6) Applicants, who were previously licensed and passed the required association of social work boards' exam, may use that exam for licensure, if they were licensed in another jurisdiction recognized by the board in the last seven years.
- (B) Applicants who fail the examination shall be required to wait ninety days to re-take the examination and shall request in writing a new admission letter be sent from the board.

- (C) The social worker professional standards committee shall approve in writing applicants for licensure as social workers and independent social workers to sit for the examination up to four times.
- (D) After the fourth attempt, if the applicant has not achieved a passing score, they shall not be approved to re-take the examination until they have completed a total of six semester hours or eight quarter hours of undergraduate or graduate coursework as appropriate or other approved remediation as approved by the board. A plan of correction should be approved in writing by the social worker professional standards committee prior to beginning the coursework.
- (E) Related degree applicants shall be approved by the social workers professional standards committee prior to taking the examination and must meet all requirements of paragraph (C)(3) of rule 4757-19-01 of the Administrative Code to be eligible.
- (F) Applicants who are denied admission to the examination shall be afforded an opportunity for a hearing pursuant to Chapter 119. of the Revised Code.

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4757-21-03

Scope of practice for an independent social worker.

Using the definition of social work as defined in division (C) of section 4757.01 of the Revised Code, the board adopts the following scope of practice for an independent social worker. Each independent social worker has a personal competency within the license's scope of practice, which is determined by their education, training and practice as defined in paragraph (A) of rule 4757-5-02 of the Administrative Code (ethics).

- (A) An independent social worker may perform for a fee, salary or other consideration, counseling, psychosocial interventions, and social psychotherapy without supervision in an agency setting, as a private practitioner, or as an independent contractor.
- (B) The scope of practice for an independent social worker may include those duties as described in the subparagraphs that follow:
 - (1) Psychosocial assessment: intervention planning, psychosocial intervention, and social psychotherapy, which includes the diagnosis and treatment of mental and emotional disorders and counseling.
 - (2) Program assessment, planning, and development, program implementation and evaluation.
 - (3) Organizational assessment, planning and development, intervention, accountability, and supervision.
 - (4) Specialized problem-oriented assessment, specialized project or case-oriented planning, specialized intervention, evaluation of consultation activities, provide training supervision for social workers seeking licensure as independent social workers.
 - (5) Provide clinical supervision of registered social worker trainees unless they are diagnosing and treating mental and emotional disorders, social worker assistants, social workers except for their training supervision, professional counselors, and marriage and family therapists; and supervision of chemical dependency counselors and prevention specialists as specified in Chapter 4758. of the Revised Code.
- (C) The scope of practice for an independent social worker with supervision designation may include those duties as described as follows:

- (1) Psychosocial assessment: intervention planning, psychosocial intervention, and social psychotherapy, which includes the diagnosis and treatment of mental and emotional disorders and counseling.
- (2) Program assessment, planning, and development, program implementation and evaluation.
- (3) Organizational assessment, planning and development, intervention, accountability, and supervision.
- (4) Specialized problem-oriented assessment, specialized project or case-oriented planning, specialized intervention, evaluation of consultation activities, provide training supervision for social workers seeking licensure as independent social workers.
- (5) Provide clinical and/or training supervision of registered social worker trainees, social worker assistants, social workers, professional counselors, and marriage and family therapists; and supervision of chemical dependency counselors and prevention specialists as specified in Chapter 4758. of the Revised Code. Provide training supervision for social workers gaining supervised hours to meet the requirements of paragraph (C)(2) of rule 4757-19-02 of the Administrative Code to become licensed as independent social workers per rule 4757-23-01 of the Administrative Code.

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*** DRAFT - NOT YET FILED ***

4757-25-01

Education requirements for admission to the examination for marriage and family therapist.

The requirements for licensure are generally set forth in section 4757.30 of the Revised Code.

(A) Pertaining to the educational requirements, the board further prescribes that: a "graduate degree in marriage and family therapy" is defined as a degree that meets all of the following criteria:

- (1) The program or concentration shall clearly be identified as marriage and family therapy. Such a program shall specify in pertinent institutional catalogues and brochures its intent to educate and train marriage and family therapists.
- (2) The marriage and family therapy curriculum shall stand as a recognized entity within the institution and have a marriage and family therapy faculty.
- (3) The marriage and family therapy coursework completed shall be an organized course of study that includes at least one graduate course in each of these seven areas of marriage and family therapy:
 - (a) Marriage and family studies: Courses in this area should present a fundamental introduction to marriage and family studies. The student should learn to recognize across a wide variety of family structures and a diverse range of issues (e.g. gender, culture, and substance abuse). Topic areas may include but not limited to: family development, subsystems, blended families, gender issues in families, cultural issues in families.
 - (b) Systems theory: Courses in this area should address the historical development, theoretical and empirical foundations, and contemporary conceptual directions of the field of marriage and family therapy.
 - (c) Research: Courses in this area should assist the student in understanding and performing research. Topic areas may include: research methodology, qualitative and quantitative methods, and statistics.
 - (d) Professional ethics: Courses in this area shall include the "American Association for Marriage and Family Therapy" (AAMFT) code of ethics, confidentiality and liabilities of clinical practice and research, professional ethics as a marriage and family therapist, professional

socialization, and the role of the professional organization, licensure or certification legislation, independent practice and inter professional cooperation. Religious ethics courses and moral theology courses do not meet this requirement.

- (e) Human development: Courses in this area should provide knowledge of personality development and its normal and abnormal manifestations. The student should have relevant coursework in human development across the lifespan, which includes special issues that should be integrated with systems concepts. Topic areas may include but are not limited to: human development, psychopathology, personality theory, human sexuality. Test and measurement courses do not meet this requirement.
- (f) Appraisal of individuals and families: Courses in this area shall include the framework for understanding the individual, couple and family group, psychological and educational testing, and the study of ethnic, cultural and gender factors. Course content shall address from a relational/systemic perspective, psychopharmacology, physical health and illness, traditional psycho diagnostic categories, and the assessment and treatment of major mental and emotional disorders.
- (g) Practicum: Includes a supervised training experience taken during the completion of a degree program consisting of the provision of marriage and family therapy to clients and is acceptable to the board.
 - (i) ~~Minimum twelve months, supervised clinical practicum with three hundred hours of direct contact with individuals, couples, and families~~Applicants, who begin their program after January 2016, shall have a minimum of two semesters or three quarters of supervised clinical practicum with five hundred hours of direct contact with individuals, couples, and families and one hundred hours of supervision. Applicants, who begin their program before January 2016, shall have a minimum of two semesters or three quarters of supervised clinical practicum with three hundred hours of direct contact with individuals, couples, and families and sixty hours of supervision.
 - (ii) ~~Fifty per cent of the three hundred hours shall be with couples and families present~~Applicants, who begin their program after January 2016, shall have two hundred fifty hours of the five hundred hours of direct client contact with couples and/or families present. Applicants, who begin their program before January 2016, shall have one hundred fifty hours of the three hundred hours of direct

client contact with couples and/or families present.

(iii) The clinical practicum experience must be under the supervision of an independently licensed marriage and family therapist with supervision designation, an AAMFT approved supervisor, or an AAMFT supervisor candidate. If one is unavailable, a request for exception due to hardship shall be made in writing to the board. Said supervisor shall have demonstrated competence in the area in which he/she is supervising and have training in legal and ethical issues relevant to marriage and family therapy.

(iv) Applicants shall document their practicum experience on a form prescribed by the board. The form shall be completed by the supervisor or supervisors and shall document the student's competency, client contact hours, and supervision hours in all areas designated on the form. The form shall be completed and submitted by the student at the time of examination request.

~~(iii)~~(v) Prior to the beginning of the acceptable practicum, the student shall have completed a course in marriage and family therapy and marriage and family studies.

- (4) The marriage and family therapy coursework completed must include four courses in marriage and family therapy. Courses in this area should have a major focus on advanced marital or family systems and systemic therapeutic interventions. This area is intended to provide a substantive understanding of the major theories of systems change and the applied practices evolving from each theoretical orientation. Major theoretical approaches include but are not limited to: strategic, structural, object relations, behavioral, intergenerational, and systemic sex therapy.
- (5) Programs that are accredited by the "Commission On Accreditation Of Marriage And Family Therapy Education" (COAMFTE) ~~shall have met all of the conditions specified in paragraphs (A)(1) to (A)(4) of this rule~~ are recognized as meeting the requirements for a graduate degree in marriage and family therapy.
- (6) Programs not accredited by the "Commission On Accreditation Of Marriage And Family Therapy Education" (COAMFTE) listed in paragraph (A)(5) of this rule shall be submitted to this board for approval as meeting the educational requirements for admission to the examination for the marriage and family therapy license. Program approval may be obtained by submitting to the board written evidence that the degree meets the requirements set forth in paragraphs (A)(1) to (A)(4) of this rule.

- (B) Applicants with other graduate degrees in a mental health field that contain sixty semester hours or ninety quarter hours shall submit written evidence that the degree program and any additional coursework meet standards that are equivalent to a graduate degree in marriage and family therapy set forth in paragraphs (A)(3) and (A)(4) of this rule.
- (C) Applicants who are denied admission to the examination shall be afforded an opportunity for a hearing pursuant to Chapter 119. of the Revised Code.

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Date

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*** DRAFT - NOT YET FILED ***

4757-25-04

Requirements for licensure as an independent marriage and family therapist.

All applicants for licensure as an independent marriage and family therapist shall:

(A) After completion of the required education set forth in paragraph (A) of rule 4757-25-01 of the Administrative Code, the applicant shall complete at least two calendar years of work experience in marriage and family therapy that meets all of ~~meet~~ the following requirements:

(1) Complete at least two calendar years of supervised training while engaged in the practice of ~~The experience shall include a minimum of one thousand hours of documented client contact in marriage and family therapy.~~

(2) The two years of supervised training must include two hundred hours of face-to-face supervision while completing a minimum of one thousand hours of documented client contact in marriage and family therapy. During the thousand hours of client contact, the applicant shall receive a minimum of two hundred hours face-to-face supervision by a supervisor whose training and experience meet the standards established in paragraph (C) of rule 4757-29-01 of the Administrative Code.

(3) Of the required two hundred hours of face-to-face supervision, a minimum of one hundred hours shall be individual supervision.

(4) Of the required one thousand hours of client contact, a minimum of five hundred hours shall be with couples and/or families present.

(5) The training supervision shall be performed by a supervisor whose training and experience meet the standards established in paragraph (C) of rule 4757-29-01 of the Administrative Code.

(B) Meet all the requirements established in rule 4757-25-03 of the Administrative Code.

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