



## MEMORANDUM

**TO:** Amanda Ferguson, Ohio Chemical Dependency Professionals Board

**FROM:** Emily Kaylor, Regulatory Policy Advocate

**DATE:** August 26, 2016

**RE:** CSI Review – Five Year Rule Review (OAC 4758-3-01, 4758-5-01, 4758-5-03, 4758-5-04, 4758-5-05, 4758-5-06, 4758-6-01, 4758-6-04, 4758-6-05, 4758-10-01, 4758-13-01, 4758-13-02, 4758-13-03, 4758-13-04, 4758-13-07, and 4758-15-01)

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On behalf of Lt. Governor Mary Taylor, and pursuant to the authority granted to the Common Sense Initiative (CSI) Office under Ohio Revised Code (ORC) section 107.54, the CSI Office has reviewed the abovementioned administrative rule package and associated Business Impact Analysis (BIA). This memo represents the CSI Office's comments to the Agency as provided for in ORC 107.54.

**Analysis**

This rule package consists of sixteen amended rules submitted by the Ohio Chemical Dependency Professionals Board (Board) for their statutorily required five-year review. It was submitted to the CSI Office on June 21, 2016 and the comment period closed on July 1, 2016. Two comments were received during this time.

The rules encompass application requirements for licensure, fees, scope of practice, disciplinary guidelines, continuing education, renewal of licensure, and reciprocity based on the international certification and reciprocity consortium. The amendments allow for the use of online applications, clarify some requirements that the Board heard were confusing, and update references to terminology, like using "continuing education unit" to replace "recognized clock hour." The BIA thoroughly details each rule's adverse impacts including application fees, examination fees, application steps, and continuing education requirements. Fees range from \$1 to \$700 depending on the license, exam, or application that the individual is paying for.

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For stakeholder outreach, the Board's Treatment Committee, Prevention Committee and Education Committee reviewed the rules. Each committee consists of stakeholders from the public and relevant organizations like The Ohio Council, Alcohol and Drug Abuse Prevention Association of Ohio, treatment providers, licensees, University of Cincinnati, and many others. The two comments received during the CSI comment period were supportive of the changes. One comment suggested a rewording of 4758-13-03(C)(4) to clarify the requirements for reactivation of a long-term inactive status licensee. After following up with the Board, they have provided an explanation to the commenter and agreed to discuss the rule language with their committees to address any future edits that may be warranted.

After reviewing the proposed rules and the BIA, the CSI Office has determined that the rules satisfactorily meet the standards espoused by the CSI Office, and the purpose of the rule package is justified.

#### **Recommendation**

For the reasons explained above, the CSI office does not have any recommendations for this rule package.

#### **Conclusion**

Based on the above comments, the CSI Office concludes that the Ohio Chemical Dependency Professionals Board should proceed with the formal filing of this rule package with the Joint Committee on Agency Rule Review.

cc: Mark Hamlin, Lt. Governor's Office