



Counselor, Social Worker & Marriage and Family Therapist Board

50 West Broad Street, Suite 1075
Columbus, Ohio 43215-5919
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STATE OF OHIO

COUNSELOR, SOCIAL WORKER AND MARRIAGE AND FAMILY THERAPIST BOARD

MAY 18, 2012

Chairperson, Mr. Tommie L. Robertson, at the LeVeque Tower, 50 West Broad Street, Columbus, OH, convened the regular meeting of the Board at 1:05 P.M. on May 18, 2012.

Members present were Mr. Robert Nelson, Ms. Mary Venrick, Mr. Don McTigue, Dr. Otha Gilyard, Dr. Thomas McGloshen, Mr. Steven Polovick, Ms. Maureen Cooper, Dr. Terri Hamm and Dr. Deirdre Petrich. Absent: Ms. Jennifer Paluszak Hadden. Staff present: Mr. James Rough, Mr. William Hegarty, Ms. Patricia Miller, Ms. Tammy Tingle, Mr. Andrew Miller and Mr. Raymond Lund. Also present: Atty. Melissa Wilburn, Asst. Atty. General and Ms. Michele Blackford, Student at Columbus State College.

- I.** Discussion and approval of agenda. Dr. Gilyard moved to accept the agenda with modifications, seconded by Dr. McGloshen. Carried.
- II.** Ms. Venrick moved to accept the March 16, 2012, minutes, seconded by Mr. Polovick. Carried.
- III. Executive Director Report presented by Mr. Rough:**

Mr. Rough reported:

1. Report given to each of the Professional Standards Committees is attached to the minutes.
2. The Governor continues to work on Board Member Appointments.
3. On May 16, 2012, a meeting took place with Rep. Sears. There are additional issues to follow-up on including the title of rehabilitation counselors, licensed psychologists with masters degrees being under our Board instead of the Psychology Board, grandparenting social work positions within the state as well as other issues.
4. The budget looks good especially with IT changes, number of board members down, and the new staff person not starting until March of

this year. The budget is complete for FY 13 and working on FY 14. Reviewed the licensure report.

5. Dr. Susan Sears, the first Chairperson of the Board in November of 1985, passed away on February 28, 2012, Mr. Rough attended the services.
6. Discussed the Planning Meeting agenda for the July meeting.
7. The staff continues to work well together and Mr. Lund is doing a great job.
8. Good feedback has been received on the Listserv but an e-mail can be received to remove your name from the list.

IV. Investigative Report presented by Mr. Hegarty:

Mr. Hegarty reported:

1. Thanked the Investigative Liaisons; Mr. Nelson, Ms. Venrick and Ms. Cooper.
2. Fifty-two new complaints have been received with the majority regarding continuing education audits.
3. Working on a custody dispute case.
4. Thanked Ms. Hosom and Ms. Tingle for their hard work.

V. Legal Update presented by Atty. Melissa Wilburn:

Atty. Melissa Wilburn reported:

1. No hearings requested.
2. No decision made in the Murray case.

VI. Marriage and Family Therapist Professional Standards Committee Report was presented by Dr. McGloshen:

Dr. McGloshen reported:

1. Licensed one IMFT and seven MFT's.
2. Reviewed and approved nine exam requests.
3. Discussed the draft rule on supervision.
4. Clarified the supervision rule.
5. Budget permitting Dr. McGloshen moved to send Dr. Petrich and Ms. Adorjan to attend the MFT Regulatory Board Meeting in San Francisco, CA in September, seconded by Mr. Nelson. Approved. Carried. Mr. Rough will review the budget to see if possible to send two people. Dr. Petrich stated if only one person can attend that Ms. Adorjan be that person.

VII. Counselor Professional Standards Committee Report was presented by Ms. Venrick:

Ms. Venrick reported:

1. Approved fifty-six PC's and forty-two PCC's.
2. Reported exam results.
3. Sent out seven-hundred and four CT letters and one-hundred and fifty-two exam packets.
4. Ms. Cooper and Ms. Venrick closed cases.
5. Discussed endorsement applications, reviewed the laws and rules, responded to three correspondences, and denied one CT for moral character issues.

Dr. Gilyard commented the exam appears friendlier to licensees in private practice versus agencies. Mr. Rough stated there are no figures to support that and some individuals are re-taking the exam. Dr. Gilyard stated the Committee went over the figures. Ms. Cooper stated in private practice more decisions are made and there is more involvement. Dr. Gilyard requested this information be made available to students.

VIII. Social Work Professional Standards Committee Report was presented by Mr. Nelson:

Mr. Nelson reported:

1. Approved eighty-two LISW's, one-hundred and sixteen LSW's, nineteen SWA's and fifteen SWT's. Approved related degrees. Denied a hardship request.
2. A couple of hearings took place involving related degrees.
3. Mr. Miller reported to the Committee on the ASWB Spring Training Conference he attended in Lexington, KY, in April. Interesting information was given on different types of electronic therapy such as; AVATAR Therapy, Video Game Therapy, Four Square Therapy. The question of whether a therapist not understanding these therapies are considered practicing outside of their competency and can they refer a client at that point. Mr. Robertson stated to add E-therapy to the July meeting agenda as well as the term moral character.
4. Welcomed Mr. Lund to the Board.

IX. Committee Reports

Executive Committee

Mr. Robertson reported: Information already covered in the executive director's report.

CEU Committee

Mr. Polovick reported.

1. Ms. Broome is now working on audits full time and brought some professional disclosure statement issues to the Committee.
2. Survey Monkey results continue to be positive.
3. A draft rule is being composed to require 10,000 words per hour for on-line programs. NASW will not follow this rule even though the Board accepts their approval.
4. Elite, a continuing education company sent some on-line programs to be taken to see how long the programs take to be completed.
5. Discussed an agency using a provider number nine years after it lapsed and the repercussions.
6. NASW out of Oregon requested blanket continuing education approval and was denied.
7. Dr. McGloshen commented how impressive Ms. Broome's report was and that eighty-five percent of licensees do not have professional disclosure statements.

Investigations Ad Hoc Committee

No Meeting.

X. New Business: None

XI. Old Business:

If anyone is not participating in the lunch or dinner for the July meeting please let Mr. Rough know.

Mr. Robertson seconded the good job Ms. Broome is doing and glad she is focusing on more than continuing education. Also thanked the staff for doing a good job. Reminded everyone to be prepared for the July planning meeting.

Please remember to leave quietly and have a safe trip home.

XII. Adjourned: 2:00 PM

Tommie L. Robertson, LIMFT, Board Chair



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STATE OF OHIO

COUNSELOR, SOCIAL WORKER AND MARRIAGE AND FAMILY THERAPIST BOARD

Executive Committee Meeting Minutes

May 17, 2012

Chairperson, Mr. Tommie L. Robertson, at the LeVeque Tower, 50 West Broad Street, Columbus, OH, convened the executive committee meeting of the Board at 8:10 a.m. on May 17, 2012.

Members present were Mr. Robert Nelson, Ms. Mary Venrick, Dr. Thomas McGloshen and Rev. Otha Gilyard.

Staff present: Mr. James Rough

- Approve agenda and minutes - members approved unanimously

- Board member appointments: Appointments hopefully will move in the next few weeks, I have been in regular contact with the Governor's office of Boards and Commissions. New staffer there says we have provided a number of new applications. I asked again for Tim's re-appointment.

- Budget issues: We will have excess funds as shown in budget report. There are a number of areas of savings including: short 4 appointed board members since October; new staff member started March 26, but was budgeted for a half year; IT cost sharing with Engineers board; and other small changes.

- Statute changes for new House Bill - Representative Barbara Sears released the third draft of the bill. There was an interested party meeting on May 16 at 4:00 p.m. We have been in contacting with all state agencies and emailed all licensees and associations. We had a couple of issues raised: licensing psychology master's level graduates; rehabilitation counselors educated in Ohio that are currently eligible may not be with the way the wording is now (School Counselors too); and

DYS said they had some employees in social worker positions not performing social work.

- Reviewed July 2012 planning meeting agenda and asked that each professional standards committee review and discuss any potential issues for discussion.
- The following are action items for continuing review from the July 2011 Planning meeting:
 1. Multiple CEU Committee issues:
 - a. Should we move forward for study the continuing competency model to replace continuing education? – assign to the CEU Committee: *committee not ready to move forward and will wait for OSU pilot project. The Counselors said they were not interested in the competency model.*
 - b. How do we make the current CEU program more effective - assign to the CEU Committee – *in work*
 - c. Spirituality monitoring of issues – *in work*
 2. Investigative Liaison Committee issues:
 - a. Continue work on monitor process – *in work*
 - b. Establish guidelines for training or mentoring of new investigative liaisons – *in work*
 3. Legislative issues: - Mr. Rough assigned
 - a. Statute change bill introduction in House and Senate – *in work*
 - b. CE audit fine/fee implementation within statute change – *in work*
 - c. Other new issues?
 4. MFT growth – MFT professional standards committee – *in work*

Meeting adjourned at 8:55 a.m.

Board Chair
Tommie Robertson



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CEU Committee Meeting Minutes

May 17, 2012

Chairperson, Mr. Steven Polovick, LSW, at the LeVeque Tower, 50 West Broad Street, Columbus, OH, convened the CEU committee meeting of the Board at 11:07 a.m. on May 17, 2012.

Members present were Ms. Maureen Cooper, PCC and Dr. Thomas McGloshen, IMFT, PCC. Staff present: Mr. James Rough, Executive Director, Ms. Rhonda Franklin, Renewal Coordinator, Ms. Patricia Miller, Continuing Education Coordinator and Ms. Paula Broome, Continuing Education Audit Coordinator.

1. Approve agenda and minutes from March
2. Planning Meeting issues – *discussed by committee.*
 - a. Multiple CEU Committee issues:
 - b. Should we move forward for study the continuing competency model to replace continuing education? – assign to the CEU Committee: *committee not ready to move forward and will wait for OSU pilot project. The Counselors said they were not interested in the competency model.*
 - c. How do we make the current CEU program more effective - assign to the CEU Committee. *In work*
3. Paula Broome report on CE audit process. She provided samples of professional disclosure statements, CE certificates with issues and other areas of intent to review.
4. Survey results: results continue to be good overall. A copy of comments since the last meeting was provided for review.
5. At the November meeting the committee approved the 10,000 words per hour requirement for distance education. Each professional standards committee needs to discuss to ensure full board support for this change. Ms. Miller raised the issue of NASW not utilizing a similar standard, but having approval by rule for their programs. Mr. Polovick will discuss the issue with the Social Worker Professional Standards Committee. Discussion also covered the five

questions per hour of CE offered for distance learning. Some questions are found to be very rudimentary and others require close reading of the material. However, we do not have a standard on the questions.

6. Mr. Rough again reviewed Elite Continuing Education offer to let the CEU Committee members take online or correspondence courses so that they can personally evaluate the content and time needed to complete. Committee members were interested in looking at this offer. Mr. Rough provided members the home study booklets. Mr. Rough contacted Elite and they will start a new effort.
7. Children's Home of Cincinnati was offering CEs under a nine year old provider number that had not been renewed. The committee reviewed the material and the Home's response and after much discussion determined that they would not allow the Home to re-apply for provider status for one year. The Home may still submit individual programs for review.
8. Letter from NASW Oregon Chapter requesting pre-approval was discussed. There was discussion that the NASW Chapters outside of Ohio were not intended to be included. The committee noted the proposed change to rule 4757-9-05 that removes the NASW state Chapters as pre-approved programs. That rule will go into effect late this year depending on the rule making process.
9. Reiki and Nutrition as subjects for continuing education were discussed and all three members agreed that these subjects do not fall within the parameters of the rules.
10. A question was raised about teaching a college course and eligibility for continuing education, which was changed in rule 4757-9-06 paragraph (C) which used to state:
(2) Courses or presentations which are a part of or a requirement of, an individual's employment will not be accepted. That paragraph was removed and teaching a college course is eligible under paragraph (C) of rule 4757-9-06.
11. Counselors with supervision designation per paragraph (2) of rule 4757-17-01 may earn up to three of their six required CE hours through peer supervision. A question was raised as to whether this needed to be changed in light of the proposed reduction in renewal CE hours from six to three each renewal. Ms. Venrick will discuss with her committee.

Committee adjourned at 12:05 a.m.

Mr. Steven Polovick
CEU Committee Chair



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May 10, 2012

Executive Director's Report

Board Meeting Dates and Rooms

Thursday May 17, 2012

Executive Committee – Executive Director's Office at 8:15 a.m.
SWPSC - Conference Room – 9:00 a.m.
MFTPSC - Conference Room – 9:00 a.m.
CPSC - Conference Room – 9:00 a.m.
CEU Committee – Executive Director's Office at 11:00 a.m.

Friday May 18, 2012

SWPSC - Conference Room – 9:00 a.m.
MFTPSC - Conference Room – 9:00 a.m.
CPSC - Conference Room – 9:00 a.m.
Board Meeting – LeVeque Tower 15th Floor Petroleum Board – 1:00 p.m.

Issues to Discuss

Full Board Issues:

The following Board members have appointments that expired 10/10/2011:

| Name | Type | Home Town | Expiration | 1st or 2nd Appt |
|-----------------------------|------------|-----------------------|-----------------|-----------------------|
| Timothy Brady | SW | Peebles | 10/10/11 | 1st |
| John Cranley | P | Cincinnati | 10/10/11 | 1st |
| Victoria White Kress | C | North Royalton | 10/10/11 | 2nd |
| Peggy Volters | MFT | Miamisburg | 10/10/11 | 1st |

The Governor's director of boards and commissions is working on the remaining appointments to these positions. We have had communication requesting more applicants for positions in order to comply with statute section 4757.03 that reads: "Not more than eight members of the board may be members of the same political party or sex." We have had a good response of new applicants.

Legislation:

Representative Sears will sponsor our bill. Rep. Sears has scheduled an interested parties meeting on May 16, 2012 at 4:00 p.m., which will give us a good idea if any opposition will appear. We have contacted all interested state agencies as well as associations. To date, I have not heard or received any opposition.

I testified in opposition to Senate Bill 205, Art Therapy bill in April and have proposed interested party meeting on May 24, 2012 at 1 p.m.

The psychology board bill is scheduled for its first hearing.

The Chemical Dependency Professionals bill passed the senate as SB 287 and has been sent to the House for hearings.

Budget:

The budget is in excellent shape with the exception of we have more money to spend than we need. A big part of that is the first payroll of FY 2012 was paid with FY 2011 funds by GRF in order to give the big agencies some leeway this fiscal year. It saved us \$29,000+. We have reduced DAS costs through using our own LAN switch and a maintenance contract for the IT support. In FY 2011, we paid DAS \$108,000 for services. In FY 2012, we anticipate paying them \$90,000. DAS has also reduced costs in several billing areas. We originally planned on hiring a new employee on January 1, 2012 and that employee started 3/26/2012. We have also had fewer board members to pay for January, March & May of 2012, which includes lower payroll and travel costs.

Ohio Administrative Code changes ~ Rules:**Five Year Rule Review -**

I will be filing the five year rule review changes with the Common Sense Initiative office soon after the board meeting. This is a prelude to filing rules with JCARR.

Proposed Rule change from CEU Committee: Rule 4757-9-04 adding the requirement for distance learning online and home study programs to contain at least 10,000 words per hour of continuing education credit. See enclosed draft rule change.

IT Issues

We have had many good comments on the Listserv. We sent emails about the proposed statute change, an article on child custody by Ms. Hosom, a newsletter page on the new audit position and a newsletter page on Multi-Disciplinary teams by Ms. Hosom. Our Facebook page is live.

We have purchased a new server, which we are in the process of setting up. We will share it with the Engineers and Surveyors board saving costs for maintenance and operation.

Dr Susan Sears – Our first Board chair person passed away on February 28, 2012 and a memorial was held following the OACES meeting in Dublin, Ohio on April 27, 2012, wick I attended.

Executive Director Work Plan: review the results of the Planning Meeting and issues for future resolution. Below issues are based on the outcome of the planning meeting. I will review these issues with the Executive Committee at this meeting.

1. Multiple CEU Committee issues:
 - a. Should we move forward for study the continuing competency model to replace continuing education? – assign to the CEU Committee: committee not ready to move forward and will wait for OSU pilot project. The Counselors said they were not interested in the competency model.
 - b. How do we make the current CEU program more effective - assign to the CEU Committee – in work
 - c. Spirituality monitoring of issues – in work
2. Investigative Liaison Committee issues:
 - a. Continue work on monitor process – in work
 - b. Establish guidelines for training or mentoring of new investigative liaisons – in work
3. Legislative issues: - Mr. Rough assigned
 - a. Statute change bill introduction in House and Senate – in work
 - b. CE audit fine/fee implementation within statute change – in work
 - c. Other new issues?
4. MFT growth – MFT professional standards committee – in work

Sincerely,

James R. Rough
Executive Director



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AGENDA

May 18, 2012

1. Discussion of Agenda
2. Approval of Minutes of March 16, 2012 Board Meeting
3. Executive Director's Report
4. Deputy Director's Report
5. Legal Update
6. Marriage and Family Therapist Professional Standards Committee Report
7. Counselor Professional Standards Committee Report
8. Social Work Professional Standards Committee Report
9. Standing Committee Reports
 - a. Executive Committee
 - b. Continuing Education Committee
 - c. Investigative Liaison Ad Hoc Committee
10. Old Business – Planning Meeting discussion
11. New Business
12. Chairman Comments



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March 16, 2012

Chairperson, Mr. Tommie L. Robertson, at the LeVeque Tower, 50 West Broad Street, Columbus, OH, convened the regular meeting of the Board at 1:00 P.M. on March 16, 2012.

Members present were Mr. Robert Nelson, Ms. Mary Venrick, Mr. Don McTigue, Dr. Otha Gilyard, Dr. Thomas McGloshen, Mr. Steven Polovick, Ms. Maureen Cooper, and Ms. Jennifer Paluszak Hadden. Absent: Dr. Terri Hamm and Dr. Deirdre Petrich. Staff present: Mr. James Rough, Mr. William Hegarty, Ms. Patricia Miller, Ms. Tammy Tingle, Mr. Douglas Warne, Ms. Tracey Hosom and Mr. Andrew Miller.

Also present: Atty. Melissa Wilburn, Asst. Atty. General.

- I.** Discussion and approval of agenda. Mr. Nelson moved to accept the agenda, seconded by Dr. McGloshen. Carried.
- II.** Dr. McGloshen moved to accept the January 20, 2012, minutes, seconded by Ms. Venrick. Carried.
- III. Executive Director Report presented by Mr. Rough:**

Mr. Rough reported:

1. Report given to each of the Professional Standards Committees is attached to the minutes.
2. The Board audit by the state auditor will start Monday March 19, 2012.
3. Staff is working well, a new employee will start Monday, Ms. Adorjan continues to scan paper files into the system.
4. The listserv is working well but a few licensees want their e-mail address removed.

IV. Investigative Report presented by Mr. Hegarty:

Mr. Hegarty reported:

1. Thanked Ms. Hosom and Ms. Tingle for their hard work.
2. Fifty-five new complaints received since January, seventeen of them were regarding audits.
3. Two counselor discipline hearings are planned for April and two social work hearings in May.
4. The Murray case is in appeal, the suspension has been granted a stay, written briefs were submitted and it will take about six months to a year before oral arguments take place.

V. Legal Update presented by Atty. Melissa Wilburn:

Atty. Melissa Wilburn reported:

1. Brief filed in the Murray case, no interaction with the judge or updates.

VI. Social Work Professional Standards Committee Report was presented by Mr. Nelson:

Mr. Nelson reported:

1. Approved licensure applications.
2. Discussed defining counseling.
3. Reviewed hardships.
4. Thanked the Committee for their hard work.

VII. Marriage and Family Therapist Professional Standards Committee Report was presented by Dr. McGloshen:

Dr. McGloshen reported:

1. Thanked the SWPSC for loaning them Mr. McTigue since their committee was short one person enabling them to make decisions.
2. Licensed one IMFT and four MFT's.
3. Approved three exam requests and reviewed four hardships.
4. Discussed removing the temporary MFT statute.
5. Discussed the MFT supervision designation.

VIII. Counselor Professional Standards Committee Report was presented by Ms. Venrick:

Ms. Venrick reported:

1. Approved fifty-four PC's and fifty-two PCC's, received five-hundred and thirty-six Counselor Trainee and Counselor Resident applications.
2. Two-hundred and thirty-seven exam packets requested, reported past exam results.
3. Reviewed three correspondences.
4. Reviewed five year rule review.
5. Discussed PCC supervision designation and rewriting the rule.

IX. Committee Reports

Executive Committee

Mr. Robertson reported:

1. Plan to finalize Mr. Rough's evaluation, great job, the evaluation will be public record.
2. Welcomed Ms. Paluszak Hadden to the Board and the SWPSC, hopefully the remaining vacant board positions will be filled.
3. Try to have a lunch with everyone in May to meet any new board members.

CEU Committee

Mr. Polovick reported.

1. Continue to monitor spirituality programs.
2. Survey monkey results continue to be positive.
3. After reviewing several different tools, a 10,000 word count per hour for home study programs will be effective April 1, 2013.
4. Volunteer hours counting towards continuing education initially sounded good but after further discussion realized too many separate issues could cause problems such as political or religious. Also the issue of training versus actual volunteering. Sent this issue back to the individual committees. Dr. Gilyard commented the Dental Board volunteering is much different than our licensees. Ms. Cooper commented the idea sounded good but it's not educational. Discussion took place.

Investigations Ad Hoc Committee

No Meeting.

X. New Business:

1. Welcomed Ms. Paluszak Hadden to the Board and look forward to her contributions.

XI. Old Business:

None

Thanked Mr. Rough and staff for their hard work and support. Wished everyone a safe drive home and see everyone in May. Mr. Robertson reminded everyone to leave quietly.

XII. Adjourned: 2:00 PM

Tommie L. Robertson, LIMFT, Board Chair

DRAFT



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Planning Meeting Agenda

July 19, 2012

The following schedule for Thursday Planning meeting July 19, 2012 is based on input to date and last year's format.

1:00 - 2:00 Lunch - together at Department of Aging 10th Floor LeVeque – Jim setup pizza

2:00 - 3:00 General discussion –

1. Similarities/differences of three committees: Consistency of decisions and opportunity for exceptions across the board
2. Issues from July 2011 meeting –
 - a. Assess the many CEU issues raised - task the CEU Committee – in work
 - b. Start the process of a statute change - task executive director – in work
 - c. Review the budget and revenue projections - task executive director – in work
 - d. Improve technology use where appropriate - task executive director – survey monkey, Listserv, Facebook, Twitter, revised web site, update to eLicensing system (RFP released by DAS in May) – in work
 - e. Improve the licensee disciplinary process - task the Investigative Liaison Ad Hoc Committee – in work
3. One, Three, Five year issues – what should the focus be?

3:00 - 3:50 Discipline process:

1. Improve sanctions – changes have been made to specifically address areas of concern in terms of monitoring – more communication occurs between compliance staff member and supervisors.
2. Ethical decision making training opportunities
3. Monitor training not formalized yet
4. CE audit failure fines: the rule is in place and we may use fines. The draft statute change incorporates language for a fee for late CE completion for renewals, which would not be reportable discipline since it is not a fine.

3:50 - 4:00 Break

4:00 - 5:00 CE issues:

1. CEUs that involve spirituality/religion are being reviewed by CEU Committee as they rise – nothing new of late
2. CEU program/provider approval/denial – process consistency within and among PSCs
 - a. If one member says No another reviews it

- b. If a member says yes, but thinks maybe others might say no, have another member review it
3. CE Provider & Programs under the draft statute change language will be “registrations” formally with the board and subject to discipline actions. CE Provider and CE Program applications now have fees.

5:00 - 6:00 Multiple items

1. Consumer education
2. Statute change including Civil Service exemption
3. Electronic Service Delivery – rule 4757-5-13 pertains
4. Marketing of MFT/IMFT
5. Supervision - types of records and more direction – staff gets many questions regarding supervision logs
6. Professional Disclosure Statement – are removed in the draft statute change
7. Five year rule review – plan to file rules in early August
8. Retired or Escrow status for which a fee is paid, but cannot use license and no CE required. To change back to active, a rule would set requirements for CE and an application.

6:00 - 7:00 Dinner – Chinese delivery

6:20 - 8:00 Action Plan - while finishing dinner

1. Summary of discussion
2. New issues identified
3. Action to take and timeframe

Five Year Rule review Rules as of 4-27-12

The following rules have been reviewed by the Board and/or the appropriate Professional Standards Committee. 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 (CSPSC), Social Worker (SWPSC) or Marriage and Family Therapist (MFTPSC) Professional Standards Committee. The Board appreciates feedback on any and all rules. All written inputs receive thoughtful consideration.

| Rule # | Title | Comments | PSC |
|---------------|---|--|------------|
| 4757-01-01 | Adoption of rules and methods of public notice | Adds rule filing step with the Common Sense Initiative office prior to filing with JCARR. | All |
| 4757-01-03 | Minutes of board meetings | No changes recommended | All |
| 4757-01-06 | Personal information systems | No changes recommended | All |
| 4757-05-01 | Code of ethical practice and professional conduct | No changes recommended | All |
| 4757-05-02 | Standards of ethical practice and professional conduct: clients/consumers of services | Minor change to paragraph (A)(3) to improve clarity | All |
| 4757-05-03 | Standards of ethical practice and professional conduct: multiple relationships | New sentence added to paragraph (C) referencing child custody cases | All |
| 4757-05-04 | Standards of ethical practice and professional conduct: sexual relationships | No changes recommended | All |
| 4757-05-05 | Standards of ethical practice and professional conduct: impaired practice | No changes recommended | All |
| 4757-05-06 | Standards of ethical practice and professional conduct: assessment and testing instruments | No changes recommended | All |
| 4757-05-07 | Standards of ethical practice and professional conduct: research and publication | No changes recommended | All |
| 4757-05-08 | Standards of ethical practice and professional conduct: payment for services | No changes recommended | All |
| 4757-05-09 | Standards of ethical practice and professional conduct: record keeping | No changes recommended | All |
| 4757-05-12 | Standards of ethical practice and professional conduct: professional disclosure for counselors, social workers and MFTs | No changes recommended | All |
| 4757-05-13 | Standards of practice and professional conduct: electronic service delivery (internet, email, teleconference, etc.). | No changes recommended | All |
| 4757-09-02 | CE requirements for renewal of a PC or PCC | Addition to clarify administrative subjects for continuing education courses. Reduces the 6 hour CEU requirement for supervision designation holders to 3 CEU hours. | CPSC |
| 4757-09-03 | CE requirement for renewal as a SWA or a LSW or an LISW | Reduces continuing education hours for SWAs from 30 to 15 hours each renewal. | SWPSC |
| 4757-09-04 | Clock hours for continuing professional education | Change proposed to require 10,000 words per hour of CE program credit for distance learning courses. | MFTPSC |
| 4757-11-03 | Internal records management to maintain confidentiality | Adds the compliance coordinator and board-approved compliance monitors to access | All |

Five Year Rule review Rules as of 4-27-12

| | | | |
|------------|--|---|-------|
| | | investigative records that are part of their official duties. | |
| 4757-11-04 | Hearing procedures | No changes recommended | All |
| 4757-13-01 | Education requirements for admission to the examination for professional counselor | Deletes CORE practicum from the language. Deletes doctoral degree from paragraph (A)(5) as a new rule addressing doctoral applicants has been drafted. | CPSC |
| 4757-13-02 | Requirements for licensure as a professional counselor | No changes recommended | CPSC |
| 4757-13-03 | Experience requirements for licensure as a professional clinical counselor | Reworded paragraph (A)(4) for clarity. | CPSC |
| 4757-13-05 | Professional counselor examination policy | Minor edits for clarity | CPSC |
| 4757-13-06 | Endorsement of a professional counselor or professional clinical counselor license | Minor edit to update a referenced paragraph | CPSC |
| 4757-13-07 | Counselor program approval | Important change as to supervision of students registered as counselor trainees. We adopted CACREP standards, which requires Triadic supervision of students, which is defined. | CPSC |
| 4757-13-08 | Approval of applications for professional counselor licenses | No changes recommended | CPSC |
| 4757-15-01 | Scope of practice for professional counselor | Modified paragraph (A) for clarity and removed paragraph (C) as being unnecessary. | CPSC |
| 4757-15-02 | Scope of practice for a professional clinical counselor | Minor changes for clarity | CPSC |
| 4757-17-01 | Counseling supervision | Change to "Training supervision" definition to comply with CACREP accreditation standards. Changed paragraph (C)(4) for clarity. Removes new applications for PC supervision designation. | CPSC |
| 4757-19-01 | Requirements for licensure as a social worker | Change to paragraph (B)(4) to reflect revised process of ASWB licensure exam reports. | SWPSC |
| 4757-19-02 | Requirements for licensure as an independent social worker | Minor change to definition to comply with statute | SWPSC |
| 4757-19-03 | Requirements for a certificate of registration as a social work assistant | No changes recommended | SWPSC |
| 4757-19-07 | Endorsement of a social work license | Minor edit to update a referenced paragraph | SWPSC |
| 4757-19-08 | Approval of applications for social worker licenses and registration | Adds laws and rules exam as a requirement for licensure | SWPSC |
| 4757-21-01 | Scope of practice for a registered social work assistant | Revised paragraph (B)(1) to more clearly state scope of practice. | SWPSC |
| 4757-21-02 | Scope of practice for a social worker | No changes recommended | SWPSC |
| 4757-21-03 | Scope of practice for an independent social worker | Added a reference to rule 4757-23-01 for clarity | SWPSC |
| 4757-23-01 | Social work supervision | No changes recommended | SWPSC |

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Ohio Administrative Code

4757-1-01 Adoption of rules and methods of public notice.

- (A) The procedure of the board for giving public notice for the adoption, amendment, or rescission of its rules shall be pursuant to section 119.03 of the Revised Code. The board shall provide a copy of a notice to any person who requests a copy in writing and who pays a reasonable fee, not to exceed the cost of copying and mailing.
- (B) The board shall give public notice at least thirty days prior to the date set for the public hearing by filing its rules and public notices in the Register of Ohio and on its web site. Such notice shall include:
 - (1) A statement of the board's intention to consider adoption, amendment, or rescission of a rule; and,
 - (2) A synopsis of the proposed rule, amendment, or rescission, or a statement of the general subject matter to which the proposed rule, amendment, or rescission relates;
 - (3) A statement of the reason or purpose for adoption, amendment or rescission of the rule;
 - (4) The date, time, and place of the hearing on the proposed action.
- (C) Prior to the effective date of the rule, amendment, or rescission, the board will have available for distribution to those requesting it a copy of the full text of rule, as adopted, amended, or rescinded at a cost not to exceed copying and mailing and a free download on its web site.

[\(D\) The "Board" shall file proposed rules and rule changes with the common sense initiative office as required by Ohio revised Code Section 107.53 and as promulgated by that office.](#)

HISTORY: 6-11-85 (Emer.); 9-19-85 (Emer.); 12-19-85; 7-3-97; 9-20-02; 9-20-07

Rule promulgated under: RC 119.03

Rule authorized by: RC 4757.10

Rule amplifies: RC 4757.10

R.C. 119.032 review dates: 09/20/2012

4757-1-03 Minutes of board meetings.

- (A) The unapproved minutes of all board meetings and professional standards committee meetings shall be recorded and open to public inspection in a binder located in the board office during normal business hours within ten business days of their recording.
- (B) Within ten business days after their approval by the board and professional standards committee, the approved minutes of all board meetings shall be substituted for the unapproved minutes and shall be open to public inspection in the manner provided for in paragraph (A) of this rule and on its web site.

HISTORY: 6-11-85 (Emer.); 6-19-85 (Emer.); 12-1-85; 7-3-97; 9-20-02; 9-20-07

Rule promulgated under: RC 119.03

Rule authorized by: RC 4757.10

Rule amplifies: RC 4757.05

R.C. 119.032 review dates: 09/20/2012

4757-1-06 Personal information systems.

- (A) The board shall appoint one employee to be directly responsible for each personal information system maintained by the board. Said employee shall:
 - (1) Inform all employees who have any responsibility for the operation or maintenance of said system or the use of personal information maintained in the system, of the applicable provisions of Chapter 1347. of the Revised Code and rules adopted thereunder; and;
 - (2) Inform all persons requested to supply personal information for a system whether or not they are legally required to provide such information; and
 - (3) Restrict the collection, maintenance, and use of personal information to only that which is necessary and relevant to functions of the board as required or authorized by statute or rule; and,
 - (4) Provide all persons asked to supply personal information that will be placed in an interconnected or combined system with information relevant to the system, including the identity of all other agencies or organizations that have access to the system; and,

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- (5) Allow a person who is the subject of a record in a personal information system to inspect the record pursuant to section 1347.08 of the Revised Code. Upon the request and verifications that the person requesting access to the record is the subject of information contained in the system, the employee shall:
 - (a) Inform individuals of any personal information in the system of which they are subject;
 - (b) Permit the individuals, or their legal guardian, or an attorney who presents a signed authorization made by the individuals, to inspect all personal information in the system of which they are subject, except where prohibited by law;
 - (c) Inform individuals of the uses made of the personal information and identify other users who have access to the system;
 - (d) Allow individuals who wish to exercise their rights as provided by this rule to be accompanied by one individual of their choice;
 - (e) Provide, for a reasonable charge, copies of any personal information the person is authorized to inspect.
- (6) Investigate disputes concerning the accuracy, relevance, timeliness, or completeness of personal information pursuant to section 1347.09 of the Revised Code and paragraph (D) of this rule.
- (B) The board shall reprimand in writing any employee who initiates or otherwise contributes to any disciplinary or other punitive action taken against another individual who brings attention to the appropriate authorities, the press, or a member of the public, any evidence of unauthorized use of any material contained in the licensure or document management systems. A copy of the reprimand shall be entered in the employee's personnel file.
- (C) The board shall monitor its personal information system by:
 - (1) Maintaining the personal information system with the accuracy, relevance, timeliness and completeness necessary to assure fairness in any determination made by the board which is based on information contained in the system; and,
 - (2) Eliminating unnecessary information from the system;
- (D) The board shall investigate, upon request, the accuracy, relevance, timeliness, or completeness of personal information which is disputed by the subject of a record contained in the system, within ninety days after of a receipt of a request from the disputant; and,
 - (1) Notify the disputant of the results of the investigation and any action the board intends to take with respect to the disputed information; and,
 - (2) Delete any information the board cannot verify or finds to be inaccurate; and
 - (3) Permit the disputant, if they are not satisfied with the determination made by the board, to include within the system:
 - (a) A brief statement of their position on the disputed information; or
 - (b) A brief statement that they find the information in the system to be inaccurate, irrelevant, outdated, or incomplete,
 - (4) The board shall maintain a copy of all statements made by the disputant.
- (E) The board shall not place personal information into an interconnected and combined system, unless said system contributes to the efficiency of the agencies or organizations authorized to use the system in implementing programs which are required or authorized by law.
- (F) The board shall not use personal information placed into an interconnected or combined system by another state or local agency or organization, unless the personal information is necessary and relevant to the performance of a lawful function of the board.
- (G) The board shall make available, upon request, all information concerning charges made by the board for reproduction of materials contained in personal information system.

HISTORY: Eff 6-11-85 (Emer.); 9-19-85 (Emer.); 12-19-85; 7-3-97; 9-20-07

Rule promulgated under: RC 119.03, 4757.05

Rule authorized by: RC 4757.10

119.032 Review Date: 09/20/2012

4757-5-01 Standards of ethical practice and professional conduct.

- (A) The code of ethical practice and professional conduct constitutes the standards by which the professional conduct of counselors, social workers, and marriage and family therapists shall be measured. Each subject area is in a separate rule within Chapter 4757-5 of the Administrative Code.
- (B) The rules of standards of ethical practice and conduct shall apply to the conduct of all counselor, social worker, and marriage and family therapist licensees and registrants.

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(C) A violation of these rules of standards of ethical practice and professional conduct constitutes unprofessional conduct and is sufficient reason for a reprimand, suspension, revocation, other disciplinary action, or for restrictions placed upon a license or for the denial of the initial license or renewal, or reinstatement of a license.

(D) The board subscribes to codes of ethics and practice standards for counselors, social workers, and marriage and family therapists promulgated by the "American Counseling Association" and the "National Association of Social Workers" and the "American Association for Marriage and Family Therapy". These association standards shall be used as aids in resolving ambiguities which may arise in the interpretation of the rules of professional ethics and conduct, except that the board's rules of standards of ethical practice and professional conduct shall prevail whenever any conflict exists between these rules and the professional association standards.

HISTORY: Eff 9-19-85 (Emer.); 12-19-85; 5-22-86; 6-11-95 (Emer.); 7-3-97; 8-2-01; 9-20-02; 4-10-04; 1-1-06; 11-8-07; 10/18/09

Rule promulgated under: RC 119.03

Rule authorized by: RC 4757.11

Rule amplifies: RC 4757.11

RC 119.032 review dates: 9/20/12

4757-5-02 Standards of ethical practice and professional conduct: clients/consumers of services.

(A) Responsibility to clients/consumers of services as to competency:

- (1) Licensees and registrants shall be able to present reliable and substantial evidence of competency in the areas in which they practice. Licensees and registrants shall not misrepresent directly, indirectly or by implication their professional qualifications such as education, specialized training, experience, or area(s) of competence. Licensees or registrants shall not use a doctorate designation in their professional capacity unless it is related to the field of mental health and is from a recognized accredited educational institution.
- (2) Licensees and registrants shall practice only within the competency areas for which they are qualified by education and training. Licensees and registrants shall maintain appropriate standards of care based on their individual professional license. Standards of care shall be defined as what an ordinary, reasonable professional with similar training would have done in a similar circumstance.
- (3) While developing new skills in specialty areas, a counselor, social worker, or marriage and family therapist shall take steps to ensure the competence of their work and to protect the clients from possible harm. A counselor, social worker, or marriage and family therapist shall ~~develop claim~~ skills in specialty areas only after appropriate education, and training, ~~and while receiving approved supervision.~~ (supervision removed)
- (4) Licensees and registrants do not diagnose, treat, or advise on problems outside the recognized boundaries of their competencies. Licensees and registrants shall make appropriate referrals when the client's needs exceed the counselor's, social worker's, or marriage and family therapist's competence level or scope of practice. The referrals shall be made in a timely manner.
- (5) All counselors, social workers and marriage and family therapists shall use techniques/ procedures/ modalities in diagnosing and treating mental and emotional disorders that are grounded in theory and/or have an empirical or scientific foundation, otherwise, they shall define the techniques/ procedures as "unproven" or "developing" and explain to their clients the potential risks and ethical considerations of using such techniques/procedures and take steps to protect clients from possible harm. Individuals licensed at the level of professional counselor, social worker and marriage and family therapist shall diagnose and treat mental and emotional disorders only under proper supervision.

(B) Responsibility to clients/consumers of services as to informed consent:

- (1) Counselors, social workers, or marriage and family therapists shall inform clients/consumers of services the extent and nature of services available to them, as well as the limits, rights, opportunities and obligations associated with the services to be provided which might effect the clients/consumers of services decisions to enter into or continue the relationship.
- (2) Licensees and registrants shall provide services to clients only in the context of a professional relationship based on valid informed consent. Licensees and registrants shall use clear and understandable language to inform clients of the purposes of services, limit to the services due to legal requirements, relevant costs, reasonable alternatives, the clients' rights to refuse or withdraw consent, and the timeframe covered by the consent.
- (3) In instances when clients are unable to read or understand the consent document or have trouble understanding the primary language contained in the informed consent document, licensees shall take steps to ensure the client's comprehension including providing a detailed verbal explanation or arranging for a

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qualified interpreter or translator as needed. If a client because of age or mental condition is not competent to provide informed consent the licensee shall obtain consent from the parent, guardian, or court appointed representative. Best professional practice dictates that a counselor, social worker, or marriage and family therapist shall adhere to the court documents. If a counselor, social worker, or marriage and family therapist does not understand the court document, they shall contact the court for clarification before proceeding with treatment.

- (4) In situations when clients are receiving services involuntarily, counselors, social workers, and marriage and family therapists shall provide information about the nature and extent of the services and about the client's right to refuse services and the consequences of that refusal.
 - (5) Counselors, social workers, and marriage and family therapists who provide services via electronic means shall inform the clients and recipients of the limitations and risks associated with such services.
 - (6) When a counselor, social worker, or marriage and family therapist provides services to two or more clients who have a relationship with each other and who are aware of each other's participation in treatment (for example couples, family members), a counselor, social worker, or marriage and family therapist shall clarify with all parties the nature of the licensee's professional obligations to the various clients receiving services, including limits of confidentiality. A counselor, social worker, or marriage and family therapist who anticipates a conflict of interest among the clients receiving services or anticipates having to perform in potentially conflicting roles (for example a licensee who is asked or ordered to testify in a child custody dispute or divorce proceeding involving clients) shall clarify their role with the parties involved and take appropriate action to minimize any conflict of interest.
 - (7) When a counselor, social worker, or marriage and family therapist sees clients for individual or group treatment, there may be reason for a third party to join the session for a limited purpose. The licensee shall ask the client or legal guardian to provide written authorization that describes the purpose and need for the third party to join the session and describes the circumstances and extent to which confidential information may be disclosed to the third party. The counselor, social worker, or marriage and family therapist shall make it clear that the third party is not a client and there is no confidentiality between the licensee and the third party. The counselor, social worker, and marriage and family therapist shall make it clear to the third party that he/she shall not have rights to access any part of the client's file including any session in which they participated unless the client signs a release. A counselor, social worker, or marriage or family therapist shall not make recommendations to courts, attorneys or other professional concerning non-clients.
 - (8) When a court or other judicial body orders an evaluation, assessment or other official report, the licensee shall inform the client of the parameters of the court order. The counselor, social worker, or marriage and family therapist shall not go beyond the parameters of the court order without obtaining written permission from the court or other judicial body.
 - (9) A counselor, social worker, or marriage and family therapist shall only make recommendations to a court, attorney or other professional concerning a client.
 - (10) Counselors, social workers, or marriage and family therapists shall communicate information in ways that are both developmentally and culturally appropriate. Counselors, social workers, or marriage and family therapists shall use clear and understandable language when discussing issues related to informed consent. When clients have difficulty understanding the language used by counselors, social workers, or marriage and family therapists, they shall provide necessary services (e.g., arranging for a qualified interpreter or translator) to ensure comprehension by clients. In collaboration with clients, counselors, social workers, or marriage and family therapists shall consider cultural implications of informed consent procedures and, where possible, counselors, social workers, or marriage and family therapists shall adjust their practices accordingly.
- (C) Responsibility to clients/consumers of services as to delegation: Counselors, social workers, or marriage and family therapists shall delegate professional responsibilities to another person only when the licensee delegating the responsibilities knows that the task is within the person's scope of practice and the person qualifies by training, experience and/or licensure to perform them.
- (D) Responsibility to clients/consumers of services as to confidentiality:
- (1) Counselors, social workers, and marriage and family therapists shall have a primary obligation to protect the client's right to confidentiality as established by law and the professional standards of practice. Confidential information shall only be revealed to others when the clients or other persons legally authorized to give consent on behalf of the clients, have given their informed consent, except in those circumstances in which failure to do so would violate other laws or result in clear and present danger to the client or others. Unless

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- specifically contraindicated by such situations, clients shall be informed and written consent shall be obtained before the confidential information is revealed.
- (2) Counselors, social workers, and marriage and family therapists shall discuss with clients and the client's legally authorized representatives, the nature of confidentiality and the limitation of the client's right to confidentiality. Licensees shall review with clients circumstances where confidential information may be requested and where disclosure of confidential information is legally required. This discussion shall occur as soon as possible in the professional relationship and as needed throughout the course of the relationship.
 - (3) When counselors, social workers, and marriage and family therapists provide counseling services to families, couples, or groups, licensee's shall seek agreement among the parties involved concerning each individual's right to confidentiality and obligations to preserve the confidentiality of information shared by others. Licensees shall inform participants in family, group, or couples counseling that the licensee cannot guarantee that all participants shall honor such agreements.
 - (4) Counselors, social workers, and marriage and family therapists shall take reasonable and appropriate steps to protect the confidentiality of information transmitted to other parties when using computers, electronic mail, facsimile machines, telephones and telephone answering machines, and other electronic or computer technology.
- (E) Responsibility to clients/consumers of services as to termination:
- (1) Counselors, social workers, and marriage and family therapists shall terminate services only after giving careful consideration to factors affecting the relationship and making effort to minimize possible adverse effects. If an interruption or termination of services is anticipated, reasonable notification and appropriate referral for continued services shall be provided to the client/consumer of services.
 - (2) Counselors, social workers, and marriage and family therapists employed by an agency or practice, may not solicit or refer a current client of the agency or practice, to the licensee's private practice. Licensees and registrants when leaving the employment of an agency or practice may offer referrals to the client. The referral shall include multiple options for the client to choose from, and the agency where the client is currently being seen shall be included as an option, the licensee's private practice may be one of the multiple options.
 - (3) In the event that a licensee or registrant is terminated for cause from a position as a volunteer or paid licensee, it is not the responsibility of the licensee or registrant to provide continuation of services or appropriate referrals. Licensees who are terminated for cause shall not contact their ex-clients.
- (F) Responsibility to clients/consumers of services as to sexual harassment: Counselors, social workers, and marriage and family therapists shall not sexually harass clients/consumers of services family members of clients, ex-clients or other persons encountered in professional settings. Licensees shall not sexually harass supervisees, students, or colleagues. Sexual harassment includes sexual advances, sexual solicitation, requests for sexual favors, and other verbal, non-verbal or physical conduct of a sexual nature. A client of the agency is considered a client of each counselor, social worker, or marriage and family therapist employed or contracted by the agency for purposes of ethics under the sexual harassment section of this chapter. The duty of the licensee is based on that particular licensee's knowledge of a client's identity prior to starting a relationship.
- (G) Responsibility to clients/consumers of services as to discrimination: Counselors, social workers, and marriage and family therapists shall not practice, condone, facilitate or collaborate with any form of discrimination on the basis of race, ethnicity, national origin, color, sex, sexual orientation, religion, age, marital status, political belief, veteran status, or mental or physical challenge.
- (H) Responsibility to clients/consumers of services as to conduct with clients and other individuals:
- (1) Counselors, social workers, and marriage and family therapists shall not physically or verbally abuse or threaten clients family members of clients, ex-clients or other persons encountered in professional settings. Licensees shall be aware that any physical touching between the professional and the client is subject to review for appropriate professional boundaries. The professional shall have the burden of proof to explain why physical touching was professionally necessary.
 - (2) Counselors, social workers, and marriage and family therapists shall not use derogatory language in their written or verbal communications to or about clients, ex-clients or family members of clients or ex-clients. Licensees shall use accurate and respectful language in all communications to and about clients and other persons in professional settings.
- (I) Licensed independent social workers, professional clinical counselors, and independent marriage and family therapists shall provide appropriate supervision to licensees who do not hold an independent license. This shall include ensuring all supervision documentation is provided to the board in a timely fashion and meeting with the supervisee on a regular basis to discuss the specific issues in the dependent licensee's practice. Supervisors shall be

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accurate with all supervision reporting issues. Supervisors shall not sign as the training supervisor, if they did not provide direct supervision.

HISTORY: 9/19/85 (Emer.), 12/19/85, 5/22/86, 6/11/95 (Emer.), 7/3/97,8/2/01, 9/20/02, 4/10/04, 1/1/06, 11/8/07, 10/18/09

Rule promulgated under: RC 119.03

Rule authorized by: RC 4757.11

Rule amplifies: RC 4757.11

RC 119.032 review dates: 9/20/12

Replaced: 4757-5-01(B)

4757-5-03 Standards of ethical practice and professional conduct: multiple relationships.

(A) Counselors, social workers, or marriage and family therapists shall avoid multiple relationships and conflicts of interest with any client/consumer-of-services, ex-clients, family members of clients or ex-clients, or other persons encountered in professional or non-professional setting which are not in the best interest of the client and might impair professional judgment or which increases the risk of client/consumer-of-services exploitation.

- (1) When a multiple relationship is first recognized or cannot be avoided, counselors, social workers, and marriage and family therapists shall take the following appropriate professional precautions:
 - (a) All potential multiple relationship and/or conflicts of interest shall be discussed with the client as soon as possible after being first recognized and shall only continue only with both parties agreement;
 - (b) All multiple relationships and/or conflicts of interest shall be noted in the client record with reasoning as to why it is in the best interest of the client and/or not harmful;
 - (c) Such notation shall be continually reassessed and justified in the record;
 - (d) Issues such as informed consent, consultation, and supervision shall be considered to ensure that judgment is not impaired and that no exploitation occurs.
- (2) A client of the agency is considered a client of each counselor, social worker, or marriage and family therapist employed or contracted by the agency for purposes of ethics under the multiple relationships rule of this chapter.
- (3) The licensed professional shall not undertake or continue a professional relationship with a client/consumer-of-services when the objectivity or competency of the counselor, social worker, or marriage and family therapist is, or could reasonably be expected to be, impaired or where the relationship with the client/consumer-of-services is exploitative.
- (4) Examples of multiple relationships that shall be avoided include but are not limited to those listed below.
 - (a) Familial relationships;
 - (b) Social relationships;
 - (c) Emotional relationships;
 - (d) Financial relationships;
 - (e) Supervisory relationships;
 - (f) Political relationships;
 - (g) Administrative relationships; and/or
 - (h) Legal relationships.
- (5) The list of relationships in paragraph (A)(4) of this rule as well as others require careful consideration to insure that impaired judgment or exploitation is not involved and that the best interest of the client is served at all times. (B) Counselors, social workers, and marriage and family therapists shall avoid potentially harmful effects of non-client contacts on their practice that would reasonably impair the professional's objectivity or otherwise interfere with the professional's effectiveness as a counselor, social worker, or marriage and family therapist or would reasonably harm or exploit the other party. The standard to be used shall be what an ordinary, reasonable professional with similar education and training would have considered in similar circumstances.

(C) When counselors, social workers, and marriage and family therapists provide services to two or more people who have a relationship with each other (for example couples, family members), licensees shall clarify with all parties which individuals shall be considered clients and the nature of the licensee's professional obligations to the various individuals who are receiving services. Licensees who anticipate a conflict of interest among the individuals receiving services or who anticipate having to perform in potentially conflicting roles (for example, a licensee who is asked or ordered to testify in a child custody dispute or divorce proceeding involving clients) shall clarify their

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role with the parties involved and take appropriate action to minimize any conflict of interest. [If a licensee is asked to testify in a child custody case they should review rule 4757-6-01 prior to any court appearance for guidance as to their role in these circumstances.](#)

HISTORY: 9/19/85 (Emer.), 12/19/85, 5/22/86, 6/11/95 (Emer.), 7/3/97,8/2/01, 9/20/02, 4/10/04, 1/1/06, 11-8-07, 10-18-09; 4-1-11

Rule promulgated under: RC 119.03

Rule authorized by: RC 4757.11

Rule amplifies: RC 4757.11

RC 119.032 review dates: 9/20/12

Replaced: 4757-5-01(C)

4757-5-04 Standards of ethical practice and professional conduct: sexual relationships.

(A) Counselors, social workers, and marriage and family therapists shall not engage in sexual activities or sexual contact with current clients, whether such contact is consensual or forced. A client of the agency is considered a client of each counselor, social worker, or marriage and family therapist employed or contracted at the agency for purposes of ethics under the sexual relationships section of this chapter. The duty of the licensee is based on that particular licensee's knowledge of a client's identity prior to starting a relationship.

(B) Counselors, social workers, and marriage and family therapists shall not have sexual intimacies with clients and shall not counsel persons with whom they have had a sexual relationship.

(C) Counselors, social workers, and marriage and family therapists shall not engage in sexual intimacies with former clients within five years after terminating the therapeutic relationship. Counselors, social workers, and marriage and family therapists who choose to engage in such a relationship after five years following termination have the responsibility to thoroughly examine and document in the ~~clients~~ **client's** record that such a relationship does not have an exploitative nature, based upon factors such as, duration of therapy, amount of time since therapy, termination circumstances, client's personal history and mental status, adverse impact on the client, power differentials, and actions by the professional suggesting a plan with the client after termination.

(D) A client of the agency is considered a client of each counselor, social worker, or marriage and family therapist employed or contracted by the agency for purposes of ethics under the sexual harassment, multiple relationships and sexual relationships sections of this rule. Counselors, social workers and marriage and family therapists shall not engage in sexual activities or sexual contact with clients' relatives or other individuals with whom clients maintain a close personal relationship when there is a risk of exploitation or potential harm to the client. Sexual activity or sexual contact with clients' relatives or other individuals with whom the client maintains a personal relationship has the potential to be harmful to the client and may make it difficult for the counselor, social worker or marriage and family therapist to maintain appropriate professional boundaries. Counselors, social workers and marriage and family therapists, not their clients, their clients' relatives, or other individuals with whom the client maintains a personal relationship assume the full burden for setting clear, appropriate, and culturally sensitive boundaries. The duty of the licensee is based on that particular licensee's knowledge of a client's identity prior to starting a relationship.

(E) If the counselor, social worker or marriage and family therapist engages in conduct contrary to this prohibition or claims that an exception to this prohibition is warranted because of extraordinary circumstances, the counselor, social worker, or marriage and family therapist not his or her clients assumes the full burden of demonstrating that the client or former client has not been exploited, coerced, or manipulated, intentionally or unintentionally. The licensee shall document how this is so in the client's record.

HISTORY: 9/19/85 (Emer.), 12/19/85, 5/22/86, 6/11/95 (Emer.), 7/3/97,8/2/01, 9/20/02, 4/10/04, 1/1/06, 11-8-07, 10-18-09

Rule promulgated under: RC 119.03

Rule authorized by: RC 4757.11

Rule amplifies: RC 4757.11

RC 119.032 review dates: 9/20/12

Replaced: 4757-5-01(D)

4757-5-05 Standards of ethical practice and professional conduct: impaired practice.

In impaired practice situations: counselors, social workers and marriage and family therapists shall not undertake or continue professional relationships with a client, supervisee, or student when the objectivity or competency of the

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counselor, social worker, or marriage and family therapist is or could reasonably be expected to be, impaired due to mental, emotional, physiological, pharmacological, or substance abuse conditions. If such a condition develops after a professional relationship has been initiated, the counselor, social worker, or marriage and family therapist shall terminate the professional relationship in an appropriate manner, shall notify the client of termination in writing, and shall assist the client in obtaining services from another professional.

HISTORY: 9/19/85 (Emer.), 12/19/85, 5/22/86, 6/11/95 (Emer.), 7/3/97,8/2/01, 9/20/02, 4/10/04, 1/1/06, 11-8-07

Rule promulgated under: RC 119.03

Rule authorized by: RC 4757.11

Rule amplifies: RC 4757.11

RC 119.032 review dates: 06/11/2014

Replaced: 4757-5-01(E)

4757-5-06 Standards of ethical practice and professional conduct: assessment and testing instruments.

(A) General use of assessment and testing instruments:

- (1) Appraisal techniques: the primary purpose of educational and psychological assessment is to provide measures that are objective and interpretable in either comparative or absolute terms. Counselors, social workers, and marriage and family therapists shall interpret the statements in this rule as applying to the whole range of appraisal techniques, including test and non-test data.
- (2) Client welfare: counselors, social workers, and marriage and family therapists shall promote the welfare and best interests of the client in the development, publication, and utilization of educational and psychological assessment results and interpretations and take reasonable steps to prevent others from misusing the information these techniques provide. They shall respect the client's rights to know the results, of the interpretations made, and the bases for their conclusions and recommendations.

(B) Competence to use and interpret assessment and testing instruments:

- (1) Limits of competence: Counselors, social workers, and marriage and family therapists shall recognize the limits of their competence and perform only those testing and assessment services for which they have training. They shall be familiar with reliability, validity, related standardization, error of measurement, and proper application of any technique utilized. Counselors, social workers, and marriage and family therapists using computer-based test interpretations shall be trained in the construct being measured and the specific instrument being used prior to using this type of computer application. Counselors, social workers, and marriage and family therapists shall take reasonable measures to ensure the proper use of psychological assessment techniques by persons under their supervision.
- (2) Appropriate use: Counselors, social workers, and marriage and family therapists are responsible for the appropriate selection, application, scoring, interpretation, and use of assessment instruments, whether they score and interpret such tests themselves or use computerized or other services.
- (3) Decisions based on results: Counselors, social workers, and marriage and family therapists responsible for decisions involving individuals or policies that are based on assessment results shall have a thorough understanding of educational and psychological measurement, including validation criteria, test research, and guidelines for test development and use.
- (4) Accurate information: Counselors, social workers, and marriage and family therapists shall provide accurate information and shall not make false claims when making statements about assessment instruments or techniques. Counselors, social workers, and marriage and family therapists shall seek to identify and correct client misconceptions about assessment instruments or techniques and about the meaning of scores, charts, or graphs given to them as assessment product. Special efforts shall be made to avoid unwarranted connotations of such terms as "IQ" and grade equivalent scores.

(C) Informed consent in the use of assessment and testing instruments:

- (1) Explanation to clients: Prior to assessment, counselors, social workers, and marriage and family therapists shall explain the nature and purposes of assessment and the specific use of results in language the client (or other legally authorized person on behalf of the client) can understand, unless an explicit exception to this right has been agreed upon in advance. Regardless of whether scoring and interpretation are completed by counselors, social workers, marriage and family therapists, by assistants, or by computer or other outside services, counselors, social workers, and marriage and family therapists shall take reasonable steps to ensure that appropriate explanations are given to the client.

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- (2) Recipients of results: The examinee's welfare, explicit understanding, and prior agreement shall determine the recipients of test results. Counselors, social workers, and marriage and family therapists shall include accurate and appropriate interpretations with any release of individual or group test results.
- (D) Release of information to competent professionals of assessment and testing instrument results:
 - (1) Misuse of results: Counselors, social workers, and marriage and family therapists shall not misuse assessment results, including test results, and interpretations, and take reasonable steps to prevent the misuse of such by others.
 - (2) Release of raw data: Counselors, social workers, and marriage and family therapists shall ordinarily release data (e.g. protocols, counseling or interview notes, or questionnaires) in which the client is identified only with the consent of the client or the client's legal representative. Such data shall usually be released only to persons recognized by counselors, social workers, and marriage and family therapists as competent to interpret the data.
- (E) Proper diagnosis of mental disorders with the use of assessment and testing instruments:
 - (1) Proper diagnosis: Counselors and social workers shall take special care to provide accurate diagnosis of mental disorders. Assessment techniques (including personal interview) used to determine client care (e.g., locus of treatment, type of treatment or recommended follow-up) shall be carefully selected and appropriately used.
 - (2) Cultural sensitivity: Counselors and social workers shall recognize that culture affects the manner in which client's problems are defined. Clients' socioeconomic and cultural experience shall be considered when diagnosing mental disorders.
- (F) Test selection in the use and interpretation of assessment and testing instruments:
 - (1) Appropriateness of instruments: Counselors, social workers, and marriage and family therapists shall carefully consider the validity, reliability, psychometric limitations and appropriateness of instruments when selecting tests for use in a given situation or with a particular client.
 - (2) Culturally diverse populations: Counselors, social workers, and marriage and family therapists recognize that the psychometric characteristics of a test (e.g., reliability, validity) are a function of the cultural composition of the population in which they were evaluated, validated, or normed. Licensees shall exercise due diligence in selecting tests to be used within a culturally diverse population in order to minimize the risk of inappropriate interpretation of test scores.
- (G) Conditions of test administration when using assessment and testing instruments:
 - (1) Administration conditions: Counselors, social workers, and marriage and family therapists shall administer tests under the same conditions that were established in their standardization. When tests are not administered under standard conditions or when unusual behavior or irregularities occur during the testing session, those conditions shall be noted in interpretation, and the results may be designated as invalid or of questionable validity.
 - (2) Computer administration: Counselors, social workers, and marriage and family therapists shall be responsible for ensuring that assessment administration programs function properly to provide clients with accurate results when a computer or other electronic methods are used for test administration.
 - (3) Unsupervised test-taking: Counselors, social workers, and marriage and family therapists shall not permit unsupervised or inadequately supervised use of tests or assessments unless the tests or assessments are designed, intended, and validated for self administration and/or scoring.
 - (4) Disclosure of favorable conditions: prior to test administration, conditions that produce most favorable test results shall be made known to the examinee.
- (H) Diversity when using assessment and testing instruments: Counselors, social workers, and marriage and family therapists shall be cautious in using assessment techniques, making evaluations, and interpreting the performance of populations not represented in the norm group on which an instrument was standardized. They shall recognize the effects of age, color, culture, disability, ethnic group, gender, race, religion, sexual orientation and socioeconomic status on test administration and interpretation and place test interpretation results in proper perspective with other relevant factors.
- (I) Test scoring and interpretation when using assessment and testing instruments:
 - (1) Reporting reservations: In reporting assessment results, counselors, social workers, and marriage and family therapists, shall indicate any reservations that exist regarding validity or reliability because of the circumstances of the assessment or the inappropriateness of the norms for the person tested.
 - (2) Research instruments: counselors, social workers, and marriage and family therapists shall exercise caution when interpreting the results of research instruments possessing insufficient technical data to support

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respondent results. The specific purposes for the use of such instruments shall be stated explicitly to the examinee.

- (3) Testing services: counselors, social workers, and marriage and family therapists who provide test scoring and test interpretation services to support the assessment process shall confirm the validity of such interpretations. They shall accurately describe the purpose, norms, validity, reliability, and applications of the procedures and any special qualifications applicable to their use. The public offering of an automated test interpretations service is considered a professional-to-professional consultation. The formal responsibility of the consultant is to the consultee, but the ultimate and overriding responsibility is to the client.

(J) Test security when using assessment and testing instruments: Counselors, social workers, and marriage and family therapists shall maintain the integrity and security of tests and other assessment techniques consistent with legal and contractual obligations. Counselors, social workers, and marriage and family therapists shall not appropriate, reproduce, or modify published tests or parts thereof without acknowledgment and permission from the publisher.

(K) Obsolete tests and outdated test results when using assessment and testing instruments: Counselors, social workers, and marriage and family therapists shall not use data or test results that are obsolete or outdated for the current purpose. Counselors, social workers, and marriage and family therapists shall make every effort to prevent the misuse of obsolete measures and test data by others.

(L) Test construction for assessment and testing instruments: Counselors, social workers, and marriage and family therapists shall use established scientific procedures, relevant standards, and current professional knowledge for test design in the development, publication, and utilization of educational and psychological assessment techniques.

HISTORY: 9/19/85 (Emer.), 12/19/85, 5/22/86, 6/11/95 (Emer.), 7/3/97,8/2/01, 9/20/02, 4/10/04, 1/1/06, 11-8-07, 10/18/09

Rule promulgated under: RC 119.03

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Rule amplifies: RC 4757.11

RC 119.032 review dates: 9/20/12

Replaced: 4757-5-01(F)

4757-5-07 Standards of ethical practice and professional conduct: research and publication.

(A) Responsibilities in conducting research:

- (1) Use of human subjects: Counselors, social workers, and marriage and family therapists shall plan, design, conduct, and report research in a manner consistent with pertinent ethical principles, federal and state laws, host institutional regulations, and scientific standards governing research with human subjects. Counselors, social workers, and marriage and family therapists shall design and conduct research that reflects cultural sensitivity appropriateness.
- (2) Deviation from standard practices: Counselors, social workers, and marriage and family therapists shall seek consultation and observe stringent safeguards to protect the rights of research participants when a research problem suggests a deviation from standard acceptable practices.
- (3) Precautions to avoid injury: Counselors, social workers, and marriage and family therapists who conduct research with human subjects are responsible for the subjects' welfare throughout the experiment and shall take reasonable precautions to avoid causing injurious psychological, physical, or social effects to their subjects. Counselors, social workers, and marriage and family therapists shall warn clients of any possible harm that might come from being involved in a research project.
- (4) Principal researcher responsibility: The ultimate responsibility for ethical research practice lies with the principal researcher. All others involved in the research activities share ethical obligations and full responsibility for their own actions.
- (5) Minimal interference: Counselors, social workers, and marriage and family therapists shall take reasonable precautions to avoid causing disruptions in subjects' lives due to participation in research.
- (6) Diversity: Counselors, social workers, and marriage and family therapists shall be sensitive to diversity and research issues with special populations. They seek consultation when appropriate.

(B) Informed consent in conducting research and publishing:

- (1) Topics disclosed: In obtaining informed consent for research, counselors, social workers, and marriage and family therapists shall use language that is understandable to research participants and that:
 - (a) Accurately explain the purpose and procedures to be followed;

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- (b) Identify any procedures that are experimental or relatively untried;
 - (c) Describe the attendant discomforts and risks;
 - (d) Describe the benefits or changes in individuals or organizations that might be reasonably expected;
 - (e) Disclose appropriate alternative procedures that would be advantageous for subject;
 - (f) Offer to answer any inquiries concerning the procedures;
 - (g) Ascribe any limitations on confidentiality, and;
 - (h) Instruct that subjects are free to withdraw their consent and discontinue participation in the project at any time.
- (2) Deception: Counselors, social workers, and marriage and family therapists shall not conduct research involving deception unless alternative procedures are not feasible and the prospective value of the research justifies the deception. When the methodological requirements of a study necessitate concealment or deception, the investigator shall explain clearly the reasons for this action as soon as possible.
 - (3) Voluntary participation: Participation in research shall typically be voluntary and without any penalty for refusal to participate. Involuntary participation shall be appropriate only when investigators can demonstrate that participation shall have no harmful effects on subjects and is essential to the investigation.
 - (4) Confidentiality of information: Information obtained about research participants during the course of an investigation shall be confidential. When the possibility exists that others may obtain access to such information, ethical research practice requires that the possibility, together with the plans for protecting confidentiality, shall be explained to participants as a part of the procedure for obtaining informed consent.
 - (5) Persons incapable of giving informed consent: When a person is not capable of giving informed consent, counselors, social workers and marriage and family therapists shall provide an appropriate explanation, obtain agreement for participation and obtain appropriate consent from a legally authorized person.
 - (6) Commitments to participants: Counselors, social workers, and marriage and family therapists shall take reasonable measures to honor all commitments to research participants.
 - (7) Explanations after data collections: After data is collected, counselors, social workers, and marriage and family therapists shall provide participants with full clarifications of the nature of the study to remove any misconceptions. Where scientific or human values justify delaying or withholding information, counselors, social workers and marriage and family therapists shall take reasonable measures to avoid causing harm.
 - (8) Agreements to cooperate: Counselors, social workers, and marriage and family therapists who agree to cooperate with another individual in research or publication incur an obligation to cooperate as promised in terms of punctuality of performance and with regard to the completeness and accuracy of the information required.
 - (9) Informed consent for sponsors: In the pursuit of research, counselors, social workers, and marriage and family therapists shall give sponsors, institutions, and publication channels the same respect and opportunity for giving informed consent that they accord to individual research participants. Counselors, social workers, and marriage and family therapists shall be aware of their obligation to future research workers and ensure that host institutions are given feedback information and proper acknowledgment.
- (C) Reporting results of research and publishing:
- (1) Information affecting outcome: When reporting research results, counselors, social workers, and marriage and family therapists shall explicitly mention all variables and conditions known to the investigator that may have affected the outcome of a study or the interpretation of this data.
 - (2) Accurate results: Counselors, social workers, and marriage and family therapists shall plan, conduct and report research accurately and in a manner that minimizes the possibility that results will be misleading. They shall provide thorough discussions of the limitations of their data and alternative hypotheses. Counselors, social workers, and marriage and family therapists shall not engage in fraudulent research, distort data, misrepresent data, or deliberately bias their results.
 - (3) Obligation to report unfavorable results: Counselors, social workers, and marriage and family therapists shall communicate to other counselors, social workers, and marriage and family therapists the results of any research judged to be of professional value. Results that reflect unfavorably on institutions, programs, services, prevailing opinions, or vested interests shall not be withheld.
 - (4) Identity of subjects: Counselors, social workers, and marriage and family therapists who supply data, aid in the research of another person, report research results, or make original data available shall take due care to disguise the identity of respective subjects in the absence of specific authorization from the subjects to do otherwise.
 - (5) Replication studies: Counselors, social workers, and marriage and family therapists shall make available sufficient original research data to qualified professionals who may wish to replicate the study.

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(D) Publication of research results:

- (1) Recognition of others: When conducting and reporting research, counselors, social workers, and marriage and family therapists shall be familiar with, and give recognition to, previous work on the topic, observe copyright laws, and give full credit to those to whom credit is due.
- (2) Contributors: Counselors, social workers, and marriage and family therapists shall give credit through joint authorship, acknowledgment, footnote statements, or other appropriate means to those who have contributed significantly to research or concept development in accordance with such contributions. The principal contributor shall be listed first and minor technical or professional contributions shall be acknowledged in notes or introductory statements.
- (3) Student research: For an article that is substantially based on a student's dissertation or thesis, the student shall be listed as the principal author.
- (4) Duplicate submission: Counselors, social workers, and marriage and family therapists shall submit manuscripts for consideration to only one journal at a time. Manuscripts that are published in whole or in substantial part in another journal or published work shall not be submitted for publication without acknowledgment and permission from the previous publication.
- (5) Professional review: Counselors, social workers, and marriage and family therapists who review material submitted for publication, research, or other scholarly purposes shall respect the confidentiality and proprietary rights of those who submitted it.

HISTORY: 9/19/85 (Emer.), 12/19/85, 5/22/86, 6/11/95 (Emer.), 7/3/97,8/2/01, 9/20/02, 4/10/04, 1/1/06, 11-8-07, 10-18-09

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Rule amplifies: RC 4757.11

RC 119.032 review dates: 9/20/12

Replaced: 4757-5-01(G)

4757-5-08 Standards of ethical practice and professional conduct: payment for services.

(A) Payment for services: When setting fees, counselors, social workers, and marriage and family therapists shall ensure that the fees are fair, reasonable, and commensurate with the services performed.

(B) Counselors, social workers, and marriage and family therapists shall not accept goods or services as payment for professional services. Bartering is prohibited.

(C) Counselors, social workers, and marriage and family therapists shall not solicit a private fee or other remuneration for providing services to clients who are entitled to such available services through the counselor's, social worker's, or marriage and family therapist's employer or agency.

HISTORY: 9/19/85 (Emer.), 12/19/85, 5/22/86, 6/11/95 (Emer.), 7/3/97,8/2/01, 9/20/02, 4/10/04, 1/1/06, 11-8-07, 10-18-09; 4-1-11

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Rule amplifies: RC 4757.11

RC 119.032 review dates: 9/20/12

Replaced: 4757-5-01(H)

4757-5-09 Standards of ethical practice and professional conduct: record keeping.

(A) Record keeping requirements: For each client/consumer of services, a licensee or registrant shall keep records of the dates of counseling, social work, or marriage and family therapy services, types of counseling, social work, or marriage and family therapy services, termination, and billing information. Records held by the licensee shall be kept for seven years. Records held or owned by government agencies or educational institutions are not subject to this requirement. Licensees shall keep all records in a secure location and shall allow only authorized persons access to records.

(B) Counselors, social workers, and marriage and family therapists shall take reasonable steps to ensure that documentation in records is accurate and reflects the services provided. Dates reflected in case notes shall be accurate with respect to dates of service and the dates the case notes were written. Clinical records shall include but not be limited to appropriate diagnosis, if any; individual service plans; in-take assessments; informed consent documents; and releases of information documents.

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(C) Counselors, social workers, and marriage and family therapists shall include sufficient and timely documentation in records to facilitate the delivery of services and to ensure continuity of services provided to clients in the future.

(D) Counselors', social workers', and marriage and family therapists' documentation shall protect clients' privacy to the extent that it is possible and appropriate and shall include only information that is directly relevant to the delivery of services.

(E) Counselors, social workers, and marriage and family therapists shall store records following termination of services to ensure reasonable future access. Records should be maintained as required by this rule unless a longer retention period is required by statute or relevant contracts

(F) Counselors, social workers, and marriage and family therapists shall provide clients with reasonable access to records concerning the client. Counselors, social workers, and marriage and family therapists who are concerned that clients' access to their records could cause serious misunderstanding or harm to the client shall provide assistance in interpreting the records and consultation with the client regarding the records. Licensees should limit clients' access to their records, or portions of their records, only in exceptional circumstances when there is compelling evidence that such access would cause serious harm to the client. Both the clients' requests and the rationale for withholding some or all of the records shall be documented in the clients' files. When providing clients with access to their records, licensees shall take steps to protect the confidentiality of other individuals identified or discussed in such records.

(G) A counselor, social worker, or marriage and family therapist shall not condone, partake, or assist in billing irregularities or fraud with respect to insurance companies or direct billing.

(H) Counselors, social workers and marriage and family therapists shall be aware of and adhere to divisions (H)(1) and (H)(2) of section 3109.051 of the Revised Code. That section in part states: "a parent of a child who is not the residential parent of the child is entitled to access, under the same terms and conditions under which access is provided to the residential parent, to any record that is related to the child and to which the residential parent of the child legally is provided access...unless the court determines that it would not be in the best interest of the child for the parent who is not the residential parent to have access to the records under those same terms and conditions...any keeper of a record who knowingly fails to comply with the order or division (H) of this section is in contempt of court." A complete reading and understanding of this section is mandatory for any counselor, social worker or marriage and family therapist providing services for children.

(I) When counselors, social workers, or marriage and family therapists leave a practice, they shall follow a prepared plan for transfer of clients and files. Counselors, social workers, or marriage and family therapists shall prepare and disseminate to an identified colleague or "records custodian" a plan for the transfer of clients and files in the case of their incapacitation, death, or termination of practice. Each licensee responsible for client files outside of an agency shall report to the board on the biennial registration (renewal) form the name, address, and telephone number of a licensee or other appropriate person knowledgeable about transfer and custody of records and responsibility for records in the event of the licensee's absence, incapacitation or death. Licensees at agencies that close can reference division (A)(14) of section 5122.31 of the Revised Code for proper transfer of records.

HISTORY: 9/19/85 (Emer.), 12/19/85, 5/22/86, 6/11/95 (Emer.), 7/3/97,8/2/01, 9/20/02, 4/10/04, 1/1/06, 11-8-07, 11-2-08, 10-18-09; 4-1-11

Rule promulgated under: RC 119.03

Rule authorized by: RC 4757.11

Rule amplifies: RC 4757.11

RC 119.032 review dates: 9/20/12

Replaced: 4757-5-01(I)

4757-5-12 Standards of ethical practice and professional conduct: professional disclosure for counselors, social workers and marriage and family therapists.

(A) Section 4757.12 of the Revised Code requires that a client cannot be charged for professional counseling, social work or marriage and family therapy services unless one of the following applies:

- (1) Prior to the performance of services, the client is furnished a copy of a professional disclosure statement containing the information described in division (C) of this rule; or
- (2) A professional disclosure statement containing the information described in paragraph (C) of this rule is displayed in a conspicuous location at the place where the services are performed and a copy of the statement is provided to the client upon request.

(B) In order to comply with paragraph (A) of this rule the statement shall contain:

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- (1) The name, title, business address, and business phone number of the licensee performing the services.
 - (2) The formal professional education of the licensee, including their academic degrees, the institutions awarding those degrees and the dates awarded.
 - (a) "Formal professional education" means the licensee's academic training related to counseling, social work and/or marriage and family therapy, which meets the educational requirements for licensure.
 - (b) Academic degrees that do not meet the requirements for licensure, including degrees that do not come from accredited education institutions, are not formal professional education as defined in this rule and shall not be listed on the professional disclosure statement.
 - (3) The licensee's areas of competence and the services they provide as follows:
 - (a) The professional counselor's areas of competence and the services they provide. The practice of counseling and the delivery of those services are defined in division (A) of section 4757.01 of the Revised Code and in rules 4757-15-01 and 4757-15-02 of the Administrative Code. The counseling areas of competence and services are required to be listed on the professional statement;
 - (b) The social worker's areas of competence and the services they provide. The practice of social work and the delivery of those services are defined in division (C) of section 4757.01 of the Revised Code and in rules 4757-21-01, 4757-21-02, and 4757-21-03 of the Administrative Code. The social work areas of competence and services are required to be listed on the professional statement; or
 - (c) The marriage and family therapist's areas of competence and the services they provide. The practice of marriage and family therapy and the delivery of those services are defined in division (H) of section 4757.01 of the Revised Code and in rules 4757-27-01 and 4757-27-02 of the Administrative Code. The marriage and family therapist areas of competence and services are required to be listed on the professional statement.
 - (4) For a licensee employed in a private practice, partnership, or group practice, a fee schedule shall be listed by type of service or hourly rate.
 - (5) The type of license(s) held by the individual and the license number(s).
 - (6) At the bottom of the first page of the professional disclosure statement, the following words shall appear, "This information is required by the counselor, social worker, and marriage and family therapist board, which regulates the practices of professional counseling, social work, and marriage and family therapy in this state. If you have complaints about professional services from a counselor, social worker and/or marriage and family therapist contact the Ohio Counselor, Social Worker, and Marriage and Family Therapist Board, 50 West Board Street, Suite 1075, Columbus, OH 43215. Phone (614) 466-0912. Website: www.cswmft.ohio.gov."
- (C) The following legal and ethical principles apply in providing the professional disclosure statement:
- (1) The provision of the professional disclosure statement is the sole responsibility of the licensee. A copy of the professional disclosure statement shall be submitted to the board upon request;
 - (2) The purpose of professional disclosure is to provide sufficient information to aid the client/consumer of services, or the public in making informed judgments and choices on matters concerning the provision of counseling, social work and/or marriage and family therapy services; and
 - (3) When choosing areas of competence and services provided to be listed on their professional disclosure statement, licensees shall be guided by paragraph (A)(1) of rule 4757-5-02 of the Administrative Code. "Counselors, social workers and marriage and family therapist shall not misrepresent directly, indirectly, or by implication their professional qualifications such as education, specialized training, experience, and/or area(s) of competence."
- (D) In listing areas of competence and services provided on the professional disclosure statement, licensees shall adhere to their scope of practice and delivery of services as referenced in paragraph (B)(3)(a), (B)(3)(b), or (B)(3)(c) of this rule and rules 4757-5-02 and 4757-11-01 of the Administrative Code.

HISTORY: 5/22/86, 7/3/97, 9/20/02, 1/1/06, 11-8-07, 11/2/08, 10/18/09

Rule promulgated under: RC 119.03

Rule authorized by: RC 4757.11

Rule amplifies: RC 4757.11

RC 119.032 review dates: 9/20/12

Replaced: 4757-15-03 & 4757-21-04

4757-5-13 Standards of practice and professional conduct: electronic service delivery (internet, email, teleconference, etc.).

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Electronic service delivery is defined in paragraph (EE) of rule 4757-3-01 of the Administrative Code. Licensees are reminded that standards of ethical practice and professional conduct rules 4757-5-01 to 4757-5-12 of the Administrative Code apply to electronic service delivery.

(A) These standards govern the practice of electronic service delivery and address practices that are unique to electronic service delivery and electronic service delivery practitioners.

- (1) All practitioners providing counseling, social work or marriage and family therapy via electronic service delivery to Ohio citizens shall be licensed in Ohio.
- (2) All licensees of this board providing services to clients outside the state of Ohio shall comply with the laws and rules of that jurisdiction.
- (3) Electronic service delivery shall require an initial face-to-face meeting, which may be via video/audio electronically, to verify the identity of the electronic service delivery client. At that meeting steps shall be taken to address impostor concerns, such as by using passwords to identify the client in future electronic contacts.
- (4) Informed consent shall include information defining electronic service delivery as practiced by the licensee and the potential risks and ethical considerations per paragraph (B) of rule 4757-5-02 of the Administrative Code.
 - (a) Licensees shall obtain written informed consent.
 - (b) Licensees shall not provide services without client signed informed consent.
- (5) Licensees shall provide links to websites for all of their certification bodies and licensure boards to facilitate consumer protection.
- (6) Licensees shall identify an appropriately trained professional who can provide local assistance, including crisis intervention, if needed. Licensees shall provide electronic service delivery clients the local crisis hotline telephone number and the local emergency mental health telephone number.
- (7) Licensees shall provide a link to the board's online license verification site on their web page. They shall also have a copy of the professional disclosure statement available on their web site per rule 4757-5-12 of the Administrative Code.

(B) Confidentiality in electronic service delivery shall be maintained by the licensee:

- (1) Licensees shall use encryption methods for electronic service delivery; and
- (2) Shall inform electronic service delivery clients details of data record storage.

HISTORY: 10/18/09

Rule promulgated under: RC 119.03

Rule authorized by: RC 4757.11

Rule amplifies: RC 4757.11

RC 119.032 review dates: 9/20/12

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, 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.](#)

(A) For those professional clinical counselors with supervising counselor status, ~~three~~ ~~six~~ of the thirty clock hours shall be in supervision.

(B) For all renewals ~~after January 1, 2004~~, three of the thirty hours shall be taken in the area of legal and ethical responsibilities for professional counselors.

HISTORY: 5-22-86; 7-3-97; 9-20-02

Rule promulgated under: RC 119.03

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Rule authorized by: RC 4757.10
Rule amplifies: RC 4757.33
R.C. 119.032 review dates: 9/20/12

4757-9-03 Continuing education requirement for renewal of a certificate of registration as a social work assistant or a license as a social worker or an independent social worker.

- (A) Except as required by paragraph (B) of this rule, all persons who hold a license ~~or certificate of registration~~ in social work as a condition of renewal of their license ~~or certificate of registration~~, shall complete thirty clock hours of continuing professional education in social work as defined in division (C) of section 4757.01 of the Revised Code. [All persons who hold a certificate of registration as a social work assistant, as a condition of renewal of their certificate of registration, shall complete fifteen clock hours of continuing professional education in social work as defined in division \(C\) of section 4757.01 of the Revised Code.](#) Content areas for continuing education may include: social work theory; social work methods; human development and behavior; social welfare and policy; social work values and ethics; social work research; social work supervision; social work administration; and/or social work with special populations.
- (B) Social workers with a degree from a program related to social work, as defined in rule 4757-19-01 of the Administrative Code, shall complete for credit a social work theory course and social work methods course at an accredited educational institution. These courses shall be upper division or graduate level courses taken in social work departments in which the licensee received a grade of C- or higher. Fulfillment of this requirement is mandatory for the first renewal of their license. For subsequent renewals of their licenses, these individuals shall meet the requirements of paragraph (A) of this rule. Newly licensed social workers with related degrees who were previously licensed and completed the renewal courses shall comply with paragraph (A) for their first renewal.
- (C) For all renewals after January 1, 2004, three of the thirty hours shall be taken in social work ethics or cultural competency.
- (D) For those independent social workers with supervising status, three of the thirty clock hours shall be in supervision.

HISTORY: 5-22-86; 7-3-97; 9-20-02; 9-20-07; 10-18-09; 9-1-11

Rule promulgated under: RC 119.03
Rule authorized by: RC 4757.10
Rule amplifies: RC 4757.33
R.C. 119.032 review dates: 9/20/12

4757-9-04 Clock hours for continuing professional education.

A "clock hour" is sixty minutes spent in a program meeting the requirements for renewal of a license or certificate of registration issued by the board. Clock hours exclude refreshment breaks, receptions and other social gatherings, and meals that do not include an acceptable program.

- (A) Fifteen clock hours will be granted for one academic semester hour. Ten clock hours will be granted for one academic quarter hour.
- (B) Ten clock hours will be granted for a journal article qualifying under Rule 4757-9-06 of the Administrative Code. Thirty clock hours will be granted for a book qualifying under rule 4757-9-06 of the Administrative Code.
- (C) Credit may be awarded for first time presentations at the rate of one and one half hours for every hour of the actual, board approved, presentation, up to ten hours per renewal period.
- (D) The number of clock hours granted for a program offered by an approved provider will be determined by the definition of clock hour in this rule.
- [\(E\) Distance learning courses shall include a minimum of 10,000 words per hour of continuing education awarded in order to be accepted by the board for continuing education credits.](#)
- ~~(E)~~(F) Counselors may earn up to fifteen hours of continuing professional education per renewal period in distance learning credit as defined in paragraph (A)(11) of rule 4757-9-06 of the Administrative Code. Social workers and marriage and family therapists may earn all hours of continuing professional education per renewal period in distance learning credit as defined in paragraph (A)(11) of rule 4757-9-06 of the Administrative Code.
- ~~(E)~~(G) Counselors, social workers and marriage and family therapists may use up to twelve hours from the prior renewal period for their current renewal, only if they had an excess of hours over thirty hours from the immediate prior renewal. This practice is known as "banking" continuing education hours (CEUs). For example, a licensee

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earned forty two hours of CEUs from May 20, 2007 to May 20, 2009. That licensee may use up to twelve hours of CEUs from the May 20, 2009 renewal toward the renewal due in May 20, 2011. If audited, the licensee shall provide proof of at least sixty total hours: forty two hours of CEUs (or thirty plus whatever number are being banked) from May 20, 2007 to May 20, 2009; and at least eighteen CEUs (or the remainder needed to equal a total of thirty hours) from May 20, 2009 through May 20, 2011.

- (1) Hours earned as a professional counselor may not be banked to renew a professional clinical counselor license.
- (2) Hours earned as a social worker assistant may not be banked to renew a social worker license.
- (3) Hours earned as a social worker may not be banked to renew an independent social worker license.
- (4) Hours earned as a marriage and family therapist may not be banked to renew an independent marriage and family therapist license.

HISTORY: 5-22-86; 7-3-97; 7-10-00; 9-20-02; 9-20-07; 7-3-10; 4-1-11

Rule promulgated under: RC 119.03

Rule authorized by: RC 4757.10

Rule amplifies: RC 4757.33

R.C. 119.032 review dates: 9/20/2012

4757-11-03 Internal records management to maintain confidentiality.

(A) All investigatory records are considered confidential and access to these records is strictly on a need-to-know basis. Access to these records is open to the investigation unit staff, [the compliance coordinator](#), board members, the board's designated representative from the Ohio attorney general, and the board's executive director. Other staff of the board do not have access to the investigation records without the prior approval of the executive director, a board member, or the deputy director. There are occasions when investigation records will need to be viewed by expert witnesses, [board-approved compliance monitors](#) or hearing officers. These individuals shall be pre-approved by the board's executive director [or deputy director](#) before access is permitted.

(B) All investigation files shall be maintained in the offices of the investigation staff.

(C) Investigation records will be secured in locked file cabinets within the office of the investigation unit. It is the responsibility of the deputy director, or their designee, to ensure that all cabinets are secured at the end of each day. The investigation unit's staff will ensure all files removed from the file cabinets that are to be worked on are monitored while in their possession and returned to the locked cabinet at the end of the day. [Completed investigative files shall be scanned into the board's document management system for permanent storage in a folder with limited access per paragraph \(A\) of this rule.](#)

(D) While investigation records are strictly confidential, records received by the board that present evidence of criminal activity may be turned over to the appropriate law enforcement agency.

(E) If investigatory records are to be released to another Ohio state agency or to an agency of another state, that entity shall sign an agreement that those records will remain confidential and not releasable. This agreement shall be signed before any records are released to the entity.

(F) Any and all records obtained in the course of an official investigation shall not be subject to subpoena provided, however, the board shall be authorized to release such records to another enforcement agency or lawful licensing authority.

(G) If a licensee is the subject of a board inquiry, all records relating to any person who receives services rendered by that licensee in his/her capacity as a licensee shall be admissible at any hearing held to determine whether a violation of this chapter has occurred. Documentary evidence relating to a person who received those services shall be reviewed in camera and shall not be disclosed to the public.

HISTORY: 7-3-97; 9-20-02

Rule promulgated under: RC 119.03

Rule authorized by: RC 4757.38

Rule amplifies: RC 4757.38

R.C. 119.032 review dates: 9/20/12

4757-11-04 Hearing procedures.

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(A) **Representatives; appearances; communications; applicability**

- (1) As used in this chapter of the Administrative Code, "respondent" shall be defined as the person who is requesting or has requested a hearing pursuant to Chapter 119 of the Revised Code.
- (2) The respondent may represent himself/herself or may be represented by an attorney admitted to the practice of law in Ohio. If the respondent does represent himself/herself, he/she shall be deemed the representative of record for purposes of this chapter of the Administrative Code.
- (3) The respondent is not required to personally appear at any hearing provided he/she has not been subpoenaed and has authorized his/her representative to represent him/her in all facets of a hearing before the Board.
- (4) The respondent or his/her representative may present his/her position, arguments, or contentions in writing rather than personally appearing at any hearing provided the respondent has not been subpoenaed.
- (5) One who has entered an appearance as representative remains the representative of record unless and until a written withdrawal is filed with the board.
- (6) Except as otherwise provided under Chapter 119 of the Revised Code, communications from the board or its attorney hearing examiner shall be sent to the representative of record.
- (7) The members of the board shall base their decisions on any matter subject to hearing only on the evidence of record. No information acquired by a member of the board in any way other than by review of the evidence of record shall be considered in that member's decision on a matter subject to hearing. The receipt of information about a matter subject to hearing outside the evidence of record shall not disqualify the member from participating in the decision on that matter unless that member excuses himself/herself from participation in the decision on the ground that he/she cannot restrict his/her decision on the matter only to the evidence of record.
- (8) Except as otherwise provided under this chapter or by statute, no attorney hearing examiner or member of the board shall initiate or consider ex parte communications concerning a pending or impending adjudicatory proceeding. Nothing contained herein, however, shall preclude the attorney hearing examiner from nonsubstantive ex parte communications on procedural matters and matters affecting the efficient conduct of adjudicatory hearings.
- (9) Except as otherwise provided under this chapter or by statute, a rule promulgated under this chapter shall apply only to those administrative proceedings for which the notice of opportunity for hearing was mailed to the respondent, or his/her representative, on or after the effective date of this particular rule.
- (10) If any provision of the rules in this chapter is held or if the application of any provision of the rules in this chapter to any person or circumstance is held invalid, the invalidity does not affect any other provision of the rules in this chapter, or the application of any other provision of the rules in this chapter, that can be given effect without the invalid provision or application, and, to this end, the provisions of the rules in this chapter are hereby declared severable.

(B) **Filing request for hearing**

- (1) In order to request a hearing under Chapter 119 of the Revised Code, a respondent or his/her representative shall file in writing a statement requesting such adjudication hearing within thirty days of the date of mailing of the board's notice of opportunity for hearing. The date of mailing shall be the date appearing on the certified mail receipt.
- (2) A respondent or his/her representative properly filing a request for an adjudication hearing shall be entitled to such adjudication hearing within fifteen days but not sooner than seven days after such request has been filed unless both parties agree or a continuance is granted pursuant to section 119.09 of the Revised Code.

(C) **Authority and duties of attorney hearing examiners**

- (1) Adjudication hearings may be conducted before an attorney hearing examiner pursuant to Chapters 4757. and 119. of the Revised Code.
- (2) All hearings shall be open to the public, but the hearing examiner conducting a hearing may close the hearing to the extent necessary to protect compelling interests and rights or to comply with statutory requirements. In the event the hearing examiner determines to close the hearing, the hearing examiner shall state the reasons therefore in the public record.
- (3) The hearing examiner shall conduct hearings in such a manner as to prevent unnecessary delays, maintain order, and ensure the development of a clear and adequate record.
- (4) The authority of the attorney hearing examiner shall include, but not be limited to, authority:
 - (a) Administer oaths and affirmations;
 - (b) Examine witnesses and direct witnesses to testify;

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- (c) Make rulings on the admissibility of evidence;
 - (d) Make rulings on procedural motions, whether such motions are oral or written;
 - (e) Hold prehearings and status conferences;
 - (f) Request briefs before, during or following the hearing, as well as suggested findings, orders, and conclusions of law within such time limits as the attorney hearing examiner may determine;
 - (g) Prepare entries, findings, orders, or reports and recommendations;
 - (h) Request preparation of entries, findings, or orders;
 - (i) Make rulings on requests to broadcast, record, televise or photograph the hearing;
 - (j) Determine the order in which any hearing shall proceed;
 - (k) Take such actions as may be necessary to accomplish the purpose of paragraph (C)(e) of this rule.
- (5) The authority of the attorney hearing examiner shall not include authority to:
 - (a) Grant motions for dismissal of charges;
 - (b) Modify, compromise, or settle charges or allegations.
 - (6) The attorney hearing examiner shall have such powers, duties, and authorities as are granted by statutes or rules.
 - (7) All rulings on evidence and motions and on any other procedural matters shall be subject to review by the board upon presentation of the proposed findings of fact and conclusions of law of the attorney hearing examiner. When such rulings warrant, the matter may be remanded to the attorney hearing examiner.

(D) Continuance of hearing

- (1) The board shall initially continue a hearing upon its own motion for a period of not less than thirty days in order to more efficiently conduct its business unless the circumstances establish that a continuance would not serve the interest of justice.
- (2) The executive director of the board may continue a hearing upon the written motion of a representative of record.
- (3) Hearings shall not be continued upon motion by a representative of record unless a showing of reasonable cause and proper diligence is presented. Before granting any continuance, consideration shall be given to harm to the public that may result from delay in proceedings. In no event will a motion for a continuance by a representative of record, requested less than five days prior to the scheduled date of the hearing, be granted unless it is demonstrated that an extraordinary situation exists which could not have been anticipated and which would justify the granting of a continuance.
- (4) If a continuance is granted, the board's executive director shall immediately establish a new hearing date, unless circumstances prohibit.
- (5) Hearings may be continued due to the unavailability of a subpoenaed witness at the discretion of the attorney hearing examiner. The attorney hearing examiner may hold the record open to accept a deposition in lieu of live testimony of a subpoenaed witness.

(E) Notice of hearings: Notice specifying the date, time, and place set for hearing shall be mailed by certified mail to the representatives of record.

(F) Transcripts: Duplicate transcripts of the stenographic record taken at hearing may be obtained directly from the court reporter at the requestor's expense.

(G) Subpoenas for purposes of hearings

- (1) Upon written request of either party, the board shall issue subpoenas of hearing to compel the attendance and testimony of witnesses and production of books, records and papers at the administrative hearing. Each subpoena shall indicate on whose behalf the witness is required to testify.
- (2) For purposes of a hearing conducted under Chapter 119. of the Revised Code, subpoena requests shall specify the name and address of the individual to be served and the date, time and location at which they are to appear at the administrative hearing. If the subpoena includes a duces tecum request, the specific documents or tangible things to be produced at the administrative hearing shall be listed in the request.
- (3) Except upon leave of the executive director, subpoena requests are to be filed with the board at least fourteen days in advance of the requested date of compliance in order to allow sufficient time for preparation and service of the subpoenas.
- (4) In the event that the number of subpoenas requested appears to be unreasonable, the Board or its attorney hearing examiner may require a showing of necessity therefore, and, in the absence of such showing, may limit the number of subpoenas. Absent such a limitation, subpoenas shall be issued within five days of request. Failure to issue subpoenas within this time may constitute sufficient grounds for the granting of a continuance.

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- (5) After the hearing has commenced, the board or its attorney hearing examiner may order the issuance of subpoenas for purposes of hearing to compel the attendance and testimony of witnesses and production of books, records, and papers.
- (6) Upon motion and for good cause, the board's executive director or its attorney hearing examiner may order any subpoena be quashed. The Board shall make a reasonable attempt to contact any witness whose subpoena has been quashed.

(H) Reports and recommendations

- (1) Within forty-five days following the close of an adjudication hearing conducted pursuant to Chapter 119. of the Revised Code, the attorney hearing examiner shall submit a written report setting forth proposed findings of fact and conclusions of law and a recommendation of the action to be taken by the Board.
- (2) A copy of such written report shall be issued to the respondent and the representatives of record. The respondent and/or the respondent's representative of record may, within ten days of receipt of the attorney hearing examiner's report and recommendations, file written objections to the report and recommendations. Only those objections filed in a timely manner shall be considered by the board before approving, modifying, or disapproving the attorney hearing examiner's recommendations.
- (3) The board shall consider the attorney hearing examiner's report and recommendations and any objections at its next regularly scheduled meeting after the time for filing objections has passed. At that time, the board may order additional testimony to be taken or permit the introduction of further documentary evidence, or act upon the report and recommendations. For purposes of taking such additional testimony or documentary evidence, the board may remand to the attorney hearing examiner
- (4) Without leave of the board, the respondent or any representative of the respondent of record shall not be permitted to address the board at the time of consideration of the attorney hearing examiner's report and recommendations. Any request for such leave shall be filed by motion no less than five days prior to the date the report and recommendations is to be considered by the board and shall be served upon the representative of record.
- (5) If a request to address the board is granted, the opposing representative may also address the board.

(I) Exchange of documents and witness lists

- (1) Any representative of record may serve upon the opposing representative of record a written request for a list of both the witnesses and the documents intended to be introduced at hearing. Within twelve business days of service of that request, the opposing representative shall provide a response to the requesting representative. All final lists requested under this rule shall be exchanged no later than seven business days prior to the commencement of the administrative hearing
- (2) Failure without good cause to comply with paragraph (I)(1) of this rule may result in exclusion from the hearing of such testimony or documents, upon motion of the representative to whom disclosure is refused.

(J) Prior action by state of Ohio counselor, social worker and marriage and family therapist board: The attorney hearing examiner shall admit evidence of any prior action entered by the state of Ohio counselor, social worker and marriage and family therapist board against the respondent, including formal disciplinary action or warning letters.

(K) Stipulation of facts: Representatives of record may, by stipulation, agree on any or all facts involved in proceedings before the attorney hearing examiner. The attorney hearing examiner may thereafter require development of any fact deemed necessary for just adjudication.

(L) Witnesses

- (1) All witnesses at any administrative hearing or during any deposition in lieu of live testimony at hearing shall testify under oath or affirmation.
- (2) A witness may be accompanied and advised by legal counsel. Participation by counsel for a witness other than the respondent is limited to protection of that witness's rights, and that legal counsel may neither examine nor cross-examine any witness.
- (3) Should a witness refuse to answer a question ruled proper at a hearing or disobey a subpoena, the state of Ohio counselor and social worker board may institute contempt proceedings pursuant to section 119.09 of the Revised Code.
- (4) Any representative of record may move for a separation of witnesses. Expert witnesses shall not be separated.
- (5) No witness shall be permitted to testify as to the nature, extent, or propriety of disciplinary action to be taken by the board. A witness may, in the discretion of the attorney hearing examiner, testify as to an ultimate issue of fact.

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- (M) **Conviction of crime:** A certified copy of a plea of guilty to, or a judicial finding of guilt of any crime in a court of competent jurisdiction is conclusive proof of the commission of all of the elements of that crime.
- (N) **Evidence:** A certified copy of a plea of guilty to, or a judicial finding of guilt of any crime in a court of competent jurisdiction is conclusive proof of the commission of all of the elements of that crime.
- (O) **Reinstatement of license registration:** Any disciplinary action taken by the board which results in suspension from practice shall either lapse by its own terms or contain a written statement of the conditions under which the license or registration may be reinstated. Such conditions may include, but are not limited to:
- (1) Submission of a written application for reinstatement;
 - (2) Payment of all appropriate fees as provided in Chapter 4757. of the Revised Code;
 - (3) Mental or physical examination, at the expense of the respondent;
 - (4) Additional education or training;
 - (5) Re-examination;
 - (6) Practice limitation;
 - (7) Participation in, and successful completion of, appropriate mental health treatment programs;
 - (8) Demonstration that the licensee can resume practice in compliance with acceptable and prevailing standards;
 - (9) Supervision, at the respondent's expense, by an appropriate supervisor as determined by the board;
 - (10) Satisfactory completion of all terms, conditions or limitations placed upon the licensee through a board approved consent agreement or adjudication order.

HISTORY: 9-20-02

Rule promulgated under: RC 119.03

Rule authorized by: RC 4757.10

Rule amplifies: RC 4757.10

R.C. 119.032 review dates: 9/20/12

4757-13-01 Education requirements for admission to the examination for professional counselor.

The requirements for licensure as a professional Counselor are generally set forth in sections 4757.22 and 4757.23 of the Revised Code.

(A) Pertaining to the educational requirements, a "graduate degree in counseling" means a degree that meets all of the following criteria:

- (1) The degree and/or the official transcript of course work shall clearly indicate that the degree awarded is a degree in counseling. Graduate degrees in other human service areas such as psychology, social work and marriage and family therapy are not considered degrees in counseling.
- (2) The program shall be clearly identified as a counseling program. Such a program shall specify in pertinent institutional catalogues and brochures its intent to educate and train professional counselors.
- (3) The counseling program shall stand as a recognizable organizational entity within the institution and have a counseling faculty who identify with the counseling profession.
- (4) The counseling program shall be an organized sequence of study that includes at least one graduate course in each of the following eleven areas of counselor training.
 - (a) Counseling theory: Includes a study of basic theories, principles of counseling and philosophical bases of the helping relationship;
 - (b) Counseling techniques: Includes individual counseling practices, methods, facilitative skills, and the application of these skills;
 - (c) Practicum: includes a supervised training experience, acceptable to the board, consisting of the provision of counseling to bona fide clients, and/or groups seeking services from counselors.
 - (i) A practicum consists no less than one hundred hours of which forty hours are direct service ~~that~~ conforms to current "Council for Accreditation of Counseling and Related Educational Programs" "CACREP" ~~or the "Council on Rehabilitation Education" "CORE" standards~~ for the required number of practicum hours, if those standards exceed one hundred hours.
 - (ii) Students, who have not completed their master's degree requirements prior to September 30, 1997, and have been enrolled in a practicum of less than one hundred hours prior to September 30, 1997, may use that course to fulfill the practicum requirement.
 - (d) Internship: Includes an on-the-job experience in professional counseling acceptable to the board.

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- (i) The supervised internship shall be no less than six hundred hours of which two hundred forty hours shall be in direct services, which include the diagnosis and treatment of mental and emotional disorders and conditions.
- (ii) Students who have not completed their master's degree requirements by September, 30, 1997, who have begun an internship of less than six hundred hours prior to September 30, 1997, may use that internship experience to fulfill the internship requirement. Any internship begun after September 30, 1997, shall comply with the requirements in paragraph (A)(1)(d)(i) of this rule.
- (iii) First time applicants who are intending to use the internship experience to meet the educational requirements of the board shall document their internship 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 in all areas designated on the form. The form shall be completed and submitted by the student within thirty days of the successful completion of the internship.
- (e) Human growth and development: Includes studies that provide a broad understanding of the nature and needs of individuals at all developmental levels. Emphasis is placed on psychological, sociological, and physiological approaches, human behavior, (normal and abnormal), personality theory, and learning theory.
- (f) Social and cultural foundations: Includes studies of change, ethnic groups, subcultures, changing roles of women, sexism, racism, ethnocentrism, urban and rural societies, population patterns, cultural mores, use of leisure time, and differing life patterns.
- (g) Group dynamics, processing and counseling: includes the study of group dynamics, group processes, practices and methods of group counseling, supervised practice, supervised facilitative skills, and theory and types of groups.
- (h) Life-style and career development: includes vocational-choice theory, relationship of career choice to life-style, sources of occupational and educational information, approaches to career decision-making processes, and career development exploration techniques.
- (i) Appraisal of the individual through: testing includes the development of a framework for understanding the individual, methods of data-gathering and interpretation, case study approaches, individual and group psychological and educational testing and the study of individual differences with consideration of ethnic, cultural and gender factors.
- (j) Research and evaluation: Includes statistics, research design, the development of research and demonstration proposals, as well as the development and evaluation of program objectives.
- (k) Professional, legal, and ethical: includes the study of professional counseling organizations, codes of ethics, legal considerations, standards of preparation, certification and licensure including the Ohio licensure law, and the professional role identity of counselors.
- (5) In addition, either as a part of the applicant's master or ~~doctoral~~ degree or after the award of the degree, a minimum of thirty quarter hours, or twenty semester hours, of instruction acceptable to the board and represented by at least one graduate course in each of the following areas:
- (a) Clinical psychopathology, personality, and abnormal behavior: includes the study of abnormal behavior, personality disorders, and psychopathological conditions specific to developmental phases through out the life span, and their application to counseling practice.
- (b) Evaluation of mental and emotional status: includes the use of assessment procedures in diagnosis and treatment planning. Focuses on the administering and interpreting individual and group standardized tests of mental ability, and personality and measurement.
- (c) Diagnosis of mental and emotional disorders: includes the appropriate use of the current edition of the "Diagnostic and Statistical Manual for Mental Disorders", and an understanding of the "International Classification of Diseases". Focuses on conducting mental status examinations, and on the development and recognition of a framework for identifying symptomology, etiology and psychodynamics of mental and emotional disorders.
- (d) Methods of intervention and prevention of mental and emotional disorders: includes studies of the:
- (i) Psychological and educational methods of intervention, such as client-centered, psychoanalytic, hypnotherapy, rational-emotive therapy, and reality therapy.
- (ii) Culturally sensitive intervention techniques used with diverse populations such as minorities, children, substance abusers, gay and lesbian individuals and individuals who are physically or mentally challenged.
- (iii) Intervention strategies used in different situations such as marriage and family problems, crisis situations, bereavement, sex therapy, rehabilitation, child abuse and multicultural counseling.

We have a draft doctoral education rule that would cover the doctoral degree.

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(e) Treatment of mental and emotional disorders: includes developing and implementing a treatment plan, reporting and assessing progress of treatment, appropriate referral procedures, formulation of timelines for treatment and knowing the effect on client behavior and the interaction of psychotropic medications and mood altering chemicals in the treatment of mental and emotional disorders.

(B) Applicants who are denied admission to the examination shall ~~will~~ be afforded an opportunity for a hearing pursuant to Chapter 119. of the Revised Code.

(C) Program requirements for counseling programs are defined in rule 4757-13-07 of the Administrative Code. Applicants from approved programs shall be considered to have met the educational requirements of this rule.

HISTORY: 3-7-97; 2-9-98; 7-10-00; 9-20-02; 1-10-08

Rule promulgated under: RC 119.03

Rule authorized by: RC 4757.10, 4757.22, 4757.23

Rule amplifies: RC 4757.22, 4757.23

R.C. 119.032 review date: 9/20/2012

4757-13-02 Requirements for licensure as a professional counselor.

All applicants for licensure as a professional counselor must:

(A) Meet the educational requirements as established in rule 4757-13-01 or 4757-13-06 of the Administrative Code.

(B) Successfully complete the licensure examination prescribed by the counselor professional standards committee. Applicants for the professional counselor examination shall have passed the required examination within two years of application date unless they are currently licensed in an equivalent capacity in another state and passed the prescribed examination as part of the licensure requirements in that state.

(C) Be of good moral character.

(D) Have met all of the initial application requirements established in rule 4757-1-04 of the Administrative Code.

HISTORY: 7-3-97; 2-9-98; 11-2-08

Rule promulgated under: RC 119.03

Rule authorized by: RC 4757.104757.22, 4757.23

Rule amplifies: RC 4757.22 to 4757.23

119.032 Review Date: 9-20-12

4757-13-03 Requirements for licensure as a professional clinical counselor.

(A) In addition to meeting educational and other requirements as established in rules 4757-13-01 and 4757-13-02 of the Administrative Code, applicants for professional clinical counselor shall meet the following experience and examination requirements as a professional counselor:

(1) An applicant with a qualifying master's or other graduate degree which is not a doctorate in counseling shall have completed two years of post professional counselor licensure supervised experience in clinical counseling, which includes the diagnosis and treatment of mental and emotional disorders.

(2) An applicant with a doctorate in counseling shall have completed two years of supervised experience in clinical counseling, which includes the diagnosis and treatment of mental and emotional disorders. At least one year and a minimum of fifteen hundred hours of supervised experience shall be completed after the award of the doctoral degree and as a licensed professional counselor and one year and a maximum of fifteen hundred hours of supervised experience may be completed as a part of a doctoral internship at a board approved counselor education program.

(3) An applicant licensed as a professional counselor by this board prior to the requirement of sixty semester hours and the clinical coursework in paragraph (A)(5) of rule 4757-13-01 of the Administrative Code, shall use supervised experience as a professional counselor to meet this requirement

(4) ~~At least fifteen hundred hours of work~~ A minimum of two years of supervised practice by the applicants shall be in a clinical setting, which shall have a primary focus on ~~includes~~ the diagnosis and treatment of mental and emotional disorders. Each year of supervised experience in clinical counseling required under section 4757.22 of the Revised Code and under this rule shall meet paragraphs (A)(4)(a), (A)(4)(b) and (B) of this rule unless the committee approves experience under paragraphs (A)(4)(c) or (A)(4)(d) of this rule.

(a) At least fifteen hundred hours of work, by the applicant, of which a minimum of fifty per cent of the work consists of face-to-face client contact involving the delivery of clinical counseling services, which include the diagnosis and treatment of mental and emotional disorders. Not more than fifteen hundred hours of experience may be accrued in any twelve month period. If the supervised experience totaled less

(4) & (4)(a) are confusing to many people because of the 1,500 hours of work. What do we want to require in this section?

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than the fifteen hundred hours, in a twelve month period credit will be granted for the fraction of a year's experience represented by the number of hours worked; and

(b) The experience was under the direct supervision of a professional clinical counselor, psychologist, psychiatrist, independent social worker with a clinical area of competence, or other independently licensed mental health professional acceptable to the counselor professional standards committee. All supervision obtained in Ohio shall be provided by a professional clinical counselor with supervision designation. Exceptions to this rule, due to hardship, shall be made in writing to the committee.

(c) Supervised counseling experience obtained out of state may count toward the supervised experience requirement. Applicants shall request this consideration in writing from the counselor professional standards committee. If licensed in another state, applicants shall apply under rule 4757-13-06 of the Administrative Code.

(d) Elementary or secondary schools and college or university academic advising, admissions, and placement centers are not clinical settings where diagnosis and treatment of mental and emotional disorders are routinely within the scope of practice. Applicants who believe that they are conducting diagnosis and treatment of mental and emotional disorders have the burden of proving to the counselor professional standards committee that their experience meets the requirements as defined in paragraphs (A)(4)(a) to (A)(4)(c) of rule 4757-13-03 of the Administrative Code.

(B) An applicant for professional clinical counselor shall pass a field evaluation prescribed by the board to evaluate the applicant's competence in diagnosing and treating mental and emotional disorders. The applicant shall further provide supervision evaluations within thirty days following the completion of the first fifteen hundred hours of supervised experience required under paragraph (A) of this rule, and again, at the completion of the full three thousand hours of supervised experience on forms provided by the board.

(1) The field evaluation shall contain documented evidence of the quality, scope and nature of the applicant's field experience and competence in diagnosis and treating mental and emotional disorders and be submitted on a form prescribed by the counselor professional standards committee.

(2) The field evaluation shall be completed by the individuals registered with the board as the applicant's supervising counselors.

(3) The supervision evaluations shall be completed by the registered supervising counselor for the applicant within thirty days of the accumulation of fifteen hundred and three thousand total hours of supervised experience. The applicant is responsible for providing the form to the supervisor.

(C) An applicant for professional clinical counselor shall successfully complete the licensure examination prescribed by the counselor professional standards committee within two years of application. All Ohio professional counselors who were licensed as professional counselors by taking the single tier Texas-Ohio examination from January 1, 1999 to December 31, 2004 or Ohio professional counselor licensure examination from January 1, 2004 through February 28, 2006 are exempt from taking the prescribed examination for professional clinical counselor.

HISTORY: 2-24-86 (Emer.); 5-22-86; 12-18-88; 7-3-97; 2-9-98; 7-10-00; 3-13-06; 9-20-07; 9-1-11

Rule promulgated under: RC 119.03

Rule authorized by: RC 4757.10, 4757.22

Rule amplifies: RC 4757.22

119.032 Review Date: 9-20-12

4757-13-05 Professional counselor examination policy.

(A) Applicants shall be approved prior to sitting for the examinations. When an applicant is approved they shall receive an admission 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 ~~need to~~ request another admission letter.

(B) Applicants who fail the examination shall be required to wait ninety days to re-take the examination and a new admission letter shall be sent from the board.

(C) The counselor professional standards committee shall ~~approve~~ allow applicants for licensure as professional counselors and professional clinical counselors to ~~take sit for~~ take sit for the examination three times.

(D) After the third attempt, if the applicant has not achieved a passing score, they shall not be allowed to re-take the examination until they have completed a total of nine semester hours or twelve quarter hours of graduate coursework or other approved remediation as approved by the board. A plan of correction shall be approved by the counselor professional standards committee prior to beginning the approved remediation coursework.

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HISTORY: 7-3-97; 9-20-02

Rule promulgated under: RC 119.03

Rule authorized by: RC 4757.15

Rule amplifies: RC 4757.15

R.C. 119.032 review dates: 9/20/12

4757-13-06 Endorsement of a professional counselor or professional clinical counselor license.

(A) An applicant requesting licensure as a professional counselor or professional clinical counselor via endorsement shall submit to the board all of the following:

- (1) A completed licensure application for the level of licensure for which the applicant is seeking licensure;
- (2) The required fee established by the board under paragraph (B) of rule 4757-1-05 of the Administrative Code;
- (3) An official statement, which indicates applicant is currently licensed, certified, registered, or otherwise authorized to practice as a professional counselor or professional clinical counselor in another jurisdiction;
- (4) An official statement from any and all jurisdictions where the applicant is currently or has been previously licensed, certified, registered, or otherwise authorized to practice as a professional counselor or professional clinical counselor indicating whether the applicant is in good standing and whether disciplinary action has been taken or is pending against the applicant;
- (5) All transcripts of undergraduate and graduate education, if any;
- (6) If the applicant has taken another jurisdiction's professional counselor or professional clinical counselor licensure exam, documentation of whether the applicant passed that exam;
- (7) Any additional documentation requested by the board that would assist the board in making a determination based on paragraphs (B)(1) to (B)(7) ~~(8)~~ of this rule.

(B) The counselor professional standards committee may consider the following factors to determine whether to grant the applicant a license via endorsement:

- (1) Whether the applicant possesses a degree in counseling awarded by an appropriately accredited institution whose program is clearly identified as a counseling program that confers a counseling degree;
- (2) Whether the applicant's coursework is substantially similar to the requirements in paragraphs (A)(4) and (A)(5) of rule 4757-13-01 of the Administrative Code;
- (3) Whether the hourly amount of the applicant's degree coursework is substantially similar to the hours required in division (B)(3) of section 4757.23 of the Revised Code;
- (4) Whether the applicant has passed a state professional counselor or professional clinical counselor licensure exam that is substantially similar to Ohio's examination;
- (5) Whether the applicant for professional clinical counselor has substantially equivalent supervised experience required by division (B)(4) of section 4757.22 of the Revised Code and paragraph (A)(2) and/or (A)(3) of rule 4757-13-03 of the Administrative Code;
- (6) Whether the applicant's license is currently in good standing in another jurisdiction and whether applicant has been disciplined in another jurisdiction;
- (7) The number of years the applicant has practiced as a professional counselor or professional clinical counselor in another jurisdiction; and

HISTORY: 7-3-97; 7-10-00; 9-20-02; 1-10-08; 11-2-08

Rule authorized by: RC 4757.10

Rule amplifies: RC 4757.18

R.C. 119.032 review dates: 9/20/2012

4757-13-07 Counselor program approval.

(A) This rule establishes the requirements for an Ohio college or university counselor program seeking pre-approval that its program meets the requirements of rule 4757-13-01 of the Administrative Code. University or college counseling programs applying for pre-approval shall meet the following criteria.

- (1) Programs that are council for accreditation of counseling and related educational programs, "CACREP", accredited in community or mental health counseling shall submit course numbers and descriptions showing which courses meet the requirements of paragraphs (A)(4) and (A)(5) of rule 4757-13-01 of the Administrative Code; or
- (2) Programs that are not "CACREP" accredited in community or mental health counseling shall document how they address the items in the remainder of the Board's approval application.

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(B) Programs shall apply on forms provided by the board to document meeting the conditions specified in paragraph (A) of this rule and paragraph (A) of rule 4757-13-01 of the Administrative Code.

- (1) Initial applications shall be approved for five years.
- (2) Renewals shall be approved for five years and renewed each five years.
- (3) Application forms shall require the following additional detail.
 - (a) Title of degrees offered;
 - (b) Sample transcripts that show degree titles and major;
 - (c) Copy of catalogs and brochures for the programs offered;
 - (d) Number of semester or quarter hours in their program for each degree listed;
 - (e) Listing of each course that meets the required coursework in paragraphs (A)(4) and (A)(5) of rule 4757-13-01 of the Administrative Code;
 - (f) Non "CACREP" accredited programs shall complete all application questions on the board's form; and
 - (g) Other minor information required by the board approved form.
- (4) Applicants from approved programs shall be considered to have met all requirements of paragraph (A) of rule 4757-13-01 of the Administrative Code.
- (5) Applicants with graduate degrees in counseling from programs not approved by this board shall submit written evidence that their degree program and any additional coursework meet all the criteria for a graduate degree in counseling set forth in paragraph (A) of rule 4757-13-01 of the Administrative Code.
- (6) Programs resident outside of Ohio are not eligible for pre-approval under this rule.

(C) Supervision of students shall meet the requirements established in "CACREP" accreditation standards for community or mental health counseling programs. Students registered as counselor trainees with the board shall further meet supervision requirements per rule 4757-17-01 of the Administrative Code. [The accreditation standards require face-to-face individual or triadic supervision of students. "Triadic" means one supervisor and two supervisees.](#)

HISTORY: 3/7/97, 2/9/98, 7/10/00, 9/20/02, 1/10/08, 4/1/11

Rule authorized by: RC 4757.10, 4757.22, 4757.23

Rule amplifies: RC 4757.22, 4757.23

R.C. 119.032 review dates: 9/20/2012

4757-13-08 Approval of applications for professional counselor licenses.

Applications for professional counselor licenses shall be approved per sections 4757.04, 4757.16, 4757.22 and 4757.23 of the Revised Code and this rule.

(A) Applications that meet the basic requirements as detailed below shall be approved upon receipt of all applicable parts. The counselor professional standards committee (CPSC) shall vote to approve all licenses issued.

(B) Applications for professional counselor license that meet the basic requirements for licensure in section 4757.23 of the Revised Code and rules 4757-1-04 and 4757-13-01 of the Administrative Code shall be approved if the following conditions are met:

- (1) A complete application for professional counselor per rule 4757-1-04 of the Administrative Code is received with no questions requiring additional review by the CPSC such as felony convictions, loss of license in another state, etc.
- (2) Transcript(s) provided directly from an accredited educational institution of a master's or doctoral degree in professional counseling that meets paragraph (A) of rule 4757-13-01 of the Administrative Code.
- (3) Proof of passing an examination acceptable to the CPSC for the purpose of determining ability to practice as a professional counselor.
- (4) Documentation of internship experience on a form prescribed by the CPSC per paragraph (A)(4)(d) of rule 4757-13-01 of the Administrative Code.

(C) Applications for professional clinical counselor license that meet the basic requirements for licensure in section 4757.22 of the Revised Code and rules 4757-1-04 and 4757-13-03 of the Administrative Code shall be approved if the following conditions are met:

- (1) A complete application for professional clinical counselor per rule 4757-1-04 of the Administrative Code is received with no questions requiring additional review by the CPSC such as felony convictions, loss of license in another state, etc.
- (2) Transcript(s) is provided directly from an accredited educational institution of a master's or doctoral degree in counseling that meets paragraph (A) of rule 4757-13-01 of the Administrative Code.

See section "Professional Practice" paragraphs (F)(2) & (G)(2) of CACREP standards for triadic requirement.

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- (3) Proof of completion of at least two years of post-licensure professional counselor experience as required in paragraph (A) of rule 4757-13-03 of the Administrative Code.
 - (4) Proof of passing examination acceptable to the CPSC for the purpose of determining ability to practice as a professional clinical counselor.
 - (5) Proof of passing a field evaluation per paragraph (B) of rule 4757-13-03 of the Administrative Code.
- (D) Applications that meet the following conditions shall be prepared for the next CPSC meeting, if received at least ten days prior to the meeting. Additional documentation is required from applicants concerning the issues delineated below to provide the information needed for the CPSC to complete its review and approval.
- (1) All applications that have answered questions such that a more detailed review by the CPSC is required such as felony convictions, loss of license in another state, etc.
 - (2) All applications with questionable qualifying degrees.
 - (3) All applications for which staff believe additional information is required for the CPSC's review.

HISTORY: 9-1-10

Rule authorized by: RC 4757.10, 4757.22, 4757.23

Rule amplifies: RC 4757.04, 4757.16, 4757.22, 4757.23

R.C. 119.032 review dates: 9/20/2012

4757-15-01 Scope of practice for professional counselor.

Each professional counselor has a personal competency within the license's scope of practice, which is determined by their education, training and practice as defined within the board's ethics rules in paragraph (A) of rule 4757-5-02 of the Administrative Code. A professional counselor as a private practitioner or an employee of an agency may for a fee, or salary, or other considerations:

- (A) ~~“Engage in the practice of professional counseling,” means to~~ A professional counselor may render to individuals, groups, organizations, or the general public counseling services involving the application of clinical counseling principles, methods, or procedures to assist individuals in achieving more effective personal, social, educational, or career development and adjustment. ~~The practice of professional counseling does not include the diagnosis and treatment of mental and emotional disorders unless the individual is licensed as a professional clinical counselor or is supervised by a professional clinical counselor, a psychologist, psychiatrist, or an independent social worker.~~
- (B) “Apply clinical counseling principles, methods, and procedures,” means an approach to counseling that emphasizes the counselor's role in systematically assisting clients through all of the following: Assessing and analyzing emotional conditions, exploring possible solutions, and developing and providing a treatment plan for mental and emotional adjustment or development. It may include counseling, appraisal, consulting, supervision, administration and referral.
- ~~(C) Provide diagnosis and treatment of mental and emotional conditions not attributable to mental and emotional disorders as defined in division (F) of section 4757.01 of the Revised Code.~~
- ~~(D)~~(C) Engage in the diagnosis and treatment of mental and emotional disorders when under the supervision of a professional clinical counselor, psychologist, psychiatrist, independent marriage and family therapist or independent social worker.
- ~~(E)~~(D) Provide training supervision for students and registered counselor trainees when services are within their scope of practice, which does not include supervision of the diagnosis and treatment of mental and emotional disorders.

HISTORY: 6-11-85 (Emer.); 9-19-85 (Emer.); 12-19-85; 12-18-88; 7-3-97; 11-8-07; 10-18-09

Rule promulgated under: RC 119.03

Rule authorized by: RC 4757.21

Rule amplifies: RC 4757.21

119.032 Review Date: 9/20/12

Replaces: 4757-13-02

4757-15-02 Scope of practice for a professional clinical counselor.

Each professional clinical counselor has a personal competency within the license's scope of practice, which is determined by their education, training and practice as defined within the board's ethics rules in paragraph (A) of

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rule 4757-5-02 of the Administrative Code. A professional clinical counselor may for a fee, salary, or other considerations:

(A) Engage in all practices, principles, methods, and procedures permitted under rule 4757-15-01 of the Administrative Code.

(B) Engage, as a private practitioner, in the unsupervised diagnosis and treatment of mental and emotional disorders as defined in division (F) of section 4757.01 of the Revised Code.

(C) Independently, as an employee of an agency, without supervision, perform or approve a diagnosis and/or develop or approve a treatment plan as required for record keeping, insurance purposes, accreditation, or governmental requirements.

(D) Provide work supervision for professional counselors, social workers, social worker temporaries, assistant social workers, and marriage and family therapists; and supervision of chemical dependency counselors and prevention specialists as specified in Chapter 4758. of the Revised Code; and training supervision for students, registered counselor trainees and registered clinical residents [per rule 4757-17-01 of the Administrative Code](#).

HISTORY: 6-11-85 (Emer.); 9-19-85 (Emer.); 12-19-85; 7-3-97; 1-1-06; 11-8-07; 10-18-09

Rule promulgated under: RC 119.03

Rule authorized by: RC 4757.21

Rule amplifies: RC 4757.21

119.032 Review Date: 9/20/12

Replaces: 4757-13-03

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;

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- (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** shall **sign off** on all **diagnoses** diagnosis, change in **diagnoses** diagnosis, 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

Use of "sign off" is not real clear. See change to language

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- (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 ~~a month~~ 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 ~~or professional counselors~~ applying for supervising counselor status shall meet the following minimum requirements ~~after August 31, 2008~~.
 - (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;

PC supervision designation being removed due to being not required to comply with any rule.

Per chg to rule 4757-9-02 (iii) defines the administrative CEUs acceptable to the board.

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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.

Paragraph (b) is no longer applicable.

~~(b) The board shall waive the requirements in paragraphs (F)(1)(a)(i) to (F)(1)(a)(iv) and (F)(1)(e) of this rule for existing professional counselors and professional clinical counselors who apply prior to September 1, 2008 for the supervisory designation if they meet the other requirements of paragraph (F) of this rule. These applicants shall complete a minimum of ten hours of academic preparation or board approved continuing education coursework in counselor supervision training.~~

~~(b)(e)~~ 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.

~~(d) Each professional counselor shall obtain four thousand five hundred hours experience post licensure including, but not limited to, work in areas such as career counseling, personal growth, supervised diagnosis and treatment of mental and emotional disorders, etc. All supervision of diagnosis and treatment of mental and emotional disorders shall be per section 4757.21 of the Revised Code and rules 4757-15-01 and 4757-15-02 of the Administrative Code.~~

~~(c)(e)~~ 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)(f)~~ Comply with all current or future association for counseling education and supervision "ACES" and American counseling association "ACA" ethical standards pertaining to the supervisory relationship.

~~(e)(g)~~ 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 meet the criteria for training supervision as defined in paragraph (A)(1) of his rule and shall not supervise the diagnosis and treatment of mental and emotional disorders.~~

HISTORY: 2-24-86 (Emer.); 5-22-86; 12-18-88; 7-3-97; 2-9-98; 8-2-01; 9-20-02; 1-10-08; 11-2-08; 10-18-09; 9-1-11

Rule promulgated under: RC 119.03

Rule authorized by: RC 4757.10, 4757.22, 4757.23

Rule amplifies: RC 4757.22, 4757.23

R.C. 119.032 review dates: 09/20/2012

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4757-19-01 Requirements for licensure as a social worker.

The requirements for licensure as a social worker are generally set forth in division (A) of section 4757.28 of the Revised Code. With regard to such applicants, the board hereby prescribes:

- (A) That the applicant shall apply for a license in accordance with the provisions of rule 4757-1-04 of the Administrative Code; and,
- (B) The applicant shall submit the following:
- (1) An applicant for licensure shall submit a completed official application form made under oath and all requested information; and
 - (2) The applicant's education shall be documented by official college transcripts received by the board directly from the college or university. Educational requirements shall be met by completion of educational programs at accredited colleges or universities; and
 - (3) Submit the required fee per paragraph (D) of rule 4757-1-05 of the Administrative Code; and
 - (4) Documentation necessary for examination approval as required by rule 4757-19-04. ~~Upon completing the examination applicants shall submit copies of their unofficial examination scores via facsimile, mail or email;~~ and
 - (5) Applications will be reviewed by the board after all the required information is received. Applicants will be notified by mail or email of the action taken on the application.
 - (6) Applicants who are denied admission to the examination will be afforded an opportunity for a hearing pursuant to Chapter 119. of the Revised Code.
- (C) That the applicant shall meet one of the following educational requirements:
- (1) Have a bachelor's degree in social work or a master's degree in social work, or a doctoral degree in social work from an accredited educational institution; which shows evidence of meeting the following coursework requirements:
 - (a) Six semester hours or their equivalent of coursework in the area of human development and behavior which includes: the social, psychological, and physiological growth of an individual, and the effects of growth of a personality in the social environment.
 - (b) Six semester hours or their equivalent of social work practice courses taught by an individual with an advanced degree in social work. Coursework shall include methods of social intervention: casework, groupwork, community organization and practice, social research and administration: in addition, three semester hours of coursework or its equivalent in the area of social work research shall be required.
 - (c) Six semester hours or their equivalent in the social welfare and policy area. Social welfare and policy includes the history of social welfare; policy development and analysis.
 - (d) Three semester hours or their equivalent shall be required in social work theory which includes the study of the principles which demonstrate various types of bio-psycho-social interventions.
 - (e) Not less than four hundred clock hours of supervised practicum and/or field experience, with a primary focus on social intervention coordinated by a an individual with an advanced degree in social work.
 - (f) The program shall reflect continuous effort to enrich the educational experience by incorporating content on social work professional and legal ethics, and racial ethnic and cultural diversity as well as women's issues into the curriculum.
 - (g) Social work programs which are accredited by "The Council on Social Work Education" (CSWE) are recognized as qualifying degrees in social work.
 - (2) Have at least a bachelor's degree from an accredited educational institution in a program closely related to social work on or before October 10, 1992.
 - (a) "A program closely related to social work" means a program that shows evidence of coursework totaling twenty semester hours, or thirty quarter hours, in three areas from paragraphs (i) through (iv) below and field work required in paragraph (v) with the exception of social workers previously licensed by the state of Ohio who let their license expire, who shall be deemed to have met the requirements for field work in paragraph (v) of this rule:
 - (i) Human development and behavior: The social psychological, and physiological growth of an individual, and effects on the growth of a personality in a social environment;
 - (ii) Methods of social intervention: Casework, groupwork, community organization and practice, social research and administration;
 - (iii) Social welfare and policy: The history of social welfare and policy;
 - (iv) Social work theory: The study of the principles which demonstrate various types of socio-psychological interventions;

ASWB exam scores are received Tuesday of the week following exam and official score report used for licensure.

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- (v) Field work: Not less than four hundred hours of supervised practicum and/or field experience, with a primary focus on social intervention, structured or regulated by a department or program in the behavioral or social sciences.
 - (b) An applicant with a degree from a program closely related to social work shall demonstrate that the applicant's coursework meets the educational requirements contained in this rule. If a course title does not clearly indicate the content area of coursework named in this rule, the applicant shall provide additional evidence or information about the applicant's coursework to the board. The committee will not accept introductory or survey courses in other disciplines towards meeting the related degree coursework requirements.
 - (c) All applicants with degrees conferred after October 10, 1992 shall have bachelor's, master's or doctoral degrees in social work from accredited educational institutions.
- (D) Per section 4757.28(A), a social worker license shall clearly indicate each academic degree earned by the person to whom it is issued. Social worker wall certificates shall be prepared using the following acronyms for the degrees noted and only those earned as of the date of issuance. Licensees or registrants may not use a doctorate designation in their professional capacity unless it is related to the field of mental health and is from a recognized accredited educational institution. Related degree licensees shall be so noted on their wall certificates as "Licensed Social Worker - Related Degree".
- (1) Bachelor of arts - major social work or a related degree shall be "BA".
 - (2) Bachelor of social work - major social work shall be "BSW".
 - (3) Bachelor of science in social work - major social work shall be "BSSW".
 - (4) Bachelor of science - major social work or a related degree shall be "BS".
 - (5) Master of social work - major social work shall be "MSW".
 - (6) Master of arts - major social service administration shall be "MASSA".
 - (7) Master of science - in social administration major in social work shall be "MSSA".
 - (8) Master of arts - major social work related degree shall be "MA".
 - (9) Master of science - major social work related degree shall be "MS".
 - (10) Doctorate of social work - major in social work shall be "DSW".
 - (11) Doctor of Philosophy - major in social work shall be "PhD".
 - (12) Doctorate of related area of mental health - related area of mental health majors shall be "PhD-Other".

HISTORY: 2-24-86 (Emer.); 5-22-86; 7-3-97; 7-10-00; 11-4-06; 9-20-07; 9-1-11

Rule promulgated under: RC 119.03

Rule authorized by: RC 4757.28

Rule amplifies: RC 4757.28

119.032 Review Date: 9-20-12

4757-19-02 Requirements for licensure as an independent social worker.

The requirements for licensure as a licensed independent social worker are generally set forth in division (A) of section 4757.27 of the Revised Code. With regard to such applicants, the social work professional standards committee hereby prescribes:

- (A) That the applicant shall apply for a license in accordance with the provisions of rule 4757-01-04 of the Administrative Code; and,
- (B) The applicant shall include with the application the required fee per paragraph (D) of rule 4757-1-05 of the Administrative Code.
- (C) That the applicant have:
 - (1) A master's degree in social work, or a doctoral degree in social work; and,
 - (2) Two years of supervised social work experience: defined as follows:
 - (a) "Two years employment experience" means at least two complete years supervised experience which includes three thousand hours of work for a fee, ~~or salary~~ or other consideration, during which time the applicant was engaged in the practice of social work and held licensure as a social worker; except that no applicant may be credited with more than fifteen hundred hours of experience during any twelve-month period;
 - (b) Any supervised experience obtained after October 10, 1986, in the state of Ohio must be supervised by an independent social worker.

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- (c) The dates that the supervised experience was obtained, not the date of application, will determine the type of acceptable experience required for an applicant to be licensed as a licensed independent social worker.
- (3) That the applicant pass the examination meeting the requirements established by the social work professional standards committee to determine the applicant's ability to be an independent social worker. Applicants shall be pre-approved to take the examination per rule 4757-19-04 of the Administrative Code.
- (D) Per section 4757.27(A), an independent social worker license shall clearly indicate each academic degree earned by the person to whom it is issued. Independent social worker wall certificates shall be prepared using the following acronyms for the degrees noted and only those earned as of the date of issuance. All bachelor's, master's and doctorate's shall be listed. Licensees or registrants may not use a doctorate designation in their professional capacity unless it is related to the field of mental health and is from a recognized accredited educational institution.
- (1) Bachelor of arts - major social work or a related degree shall be "BA".
 - (2) Bachelor of social work - major social work shall be "BSW".
 - (3) Bachelor of science in social work - major social work shall be "BSSW".
 - (4) Bachelor of science - major social work or a related degree shall be "BS".
 - (5) Master of social work - major social work shall be "MSW".
 - (6) Master of arts - major social service administration shall be "MASSA".
 - (7) Master of science - in social administration major in social work shall be "MSSA".
 - (8) Master of arts - major social work related degree shall be "MA".
 - (9) Master of science - major social work related degree shall be "MS".
 - (10) Doctorate of social work - major in social work shall be "DSW".
 - (11) Doctor of Philosophy - major in social work shall be "PhD".
 - (12) Doctorate of related area of mental health - related area of mental health majors shall be "PhD-Other".

HISTORY: 6-11-85 (Emer.); 9-19-85 (Emer.); 12-19-85; 7-3-97; 11-4-06; 9-20-07

Rule promulgated under: RC 119.03

Rule authorized by: RC 4757.27

Rule amplifies: RC 4757.27

119.032 Review Date: 9-20-12

Replace: 4757-7-04

4757-19-03 Requirements for a certificate of registration as a social work assistant.

The requirements for a certificate of registration as a social work assistant are generally set forth in section 4757.29 of the Revised Code.

- (A) The applicant shall complete an application as prescribed in rule 4757-1-04 of the Administrative Code and at the time of application shall have received at least an associate degree in social service technology from an accredited academic institution where these standards are met:
- (B) A "social service technology degree" is an associate degree from a two-year program where the following minimum curriculum standards are met:
- (1) Forty-five quarter hours, or thirty semester hours, of core social service/social work skills, theory, and systems courses including a social service practicum; and,
 - (2) Twenty-one quarter hours or fourteen semester hours, of related courses such as psychology, sociology, and economics; and,
 - (3) The applicant shall have received a grade of at least a "C-" in all coursework for the committee to accept it towards meeting the requirements.
- (C) Applicants with degrees higher than associates degrees from accredited academic institutions shall provide the committee with evidence that their coursework meets the requirements of this rule.
- (D) The application shall be accompanied by the required fee per paragraph (D) of rule 4757-1-05 of the Administrative Code.

HISTORY: 2-24-86 (Emer.); 5-22-86; 7-3-97; 9-20-02

Rule promulgated under: RC 119.03

Rule authorized by: RC 4757.29

Rule amplifies: RC 4757.29

R.C. 119.032 review dates: 9/20/12

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4757-19-07 Endorsement of a social work license.

(A) An applicant requesting licensure as a social worker or independent social worker via endorsement shall submit to the Board all of the following:

- (1) A completed licensure application for the level of licensure for which the applicant is seeking licensure;
- (2) The required fee established by the board under paragraph (B) of rule 4757-1-05 of the Administrative Code;
- (3) An official statement, which indicates applicant is currently licensed, certified, registered, or otherwise authorized to practice as a social worker or independent social worker in another jurisdiction;
- (4) An official statement from any and all jurisdictions where the applicant is currently or has been previously licensed, certified, registered, or otherwise authorized to practice as a social worker indicating whether the applicant is in good standing and whether disciplinary action has been taken or is pending against the applicant;
- (5) All transcripts of undergraduate education and, if applicable, graduate education;
- (6) If the applicant has taken another jurisdiction's bachelor's, master's, advanced generalist or clinical licensure exam, documentation of whether the applicant passed that exam; and
- (7) Any additional documentation requested by the board that would assist the board in making a determination based on paragraphs (B)(1) to (B)(6) of this rule.

(B) The social worker professional standards committee may consider the following factors to determine whether to grant the applicant a license via endorsement:

- (1) Whether the applicant possesses a bachelor's, master's and or doctor's degree in social work awarded by an appropriately accredited institution;
- (2) Whether the applicant's degree and coursework in social work is substantially similar to the requirements in paragraph (C)(1) or (C)(2) of rule 4757-19-01 of the Administrative Code;
- (3) Whether the applicant for independent social worker has substantially equivalent supervised experience required by division (B)(3) of section 4757.27 of the Revised Code and paragraph ~~(B)~~(C)(2) of rule 4757-19-02 of the Administrative Code;
- (4) Whether the applicant has passed a state social worker or independent social worker licensure exam that is substantially similar to Ohio's examination;
- (5) Whether the applicant's license is currently in good standing in another jurisdiction and whether applicant has been disciplined in another jurisdiction;
- (6) The number of years the applicant has practiced as a social worker or independent social worker in another jurisdiction.

HISTORY: 7-3-97; 1-10-08

Rule promulgated under: RC 119.03

Rule authorized by: RC 4757.18

Rule amplifies: RC 4757.18

119.032 Review Date: 9-20-2012

4757-19-08 Approval of applications for social worker licenses and registration.

Applications for social worker licenses and registration shall be approved per section 4757.16 of the Revised Code and this rule. The staff of the Board shall review all applications and process as follows:

(A) Applications that meet the basic requirements as detailed below shall be approved upon receipt of all applicable parts. Ten per cent of applications approved by staff shall be reviewed by the social worker professional standards committee at the following meeting for quality control purposes.

- (1) Applications for independent social worker license that meet the basic requirements for licensure in section 4757.27 of the Revised Code and rule 4757-19-02 of the Administrative Code shall be approved if the following conditions are met:
 - (a) Process application for independent social worker received with no questions requiring review by the board such as felony convictions, loss of license in another state, etc.
 - (b) Transcript provided directly from an accredited educational institution of a master's or doctoral degree in social work.
 - (c) Proof of completion of at least two years of post-master's degree social work experience supervised by an independent social worker.

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- (d) Proof of passing an examination administered by the board for the purpose of determining ability to practice as an independent social worker [and the board's laws and rules exam](#).
- (2) Applications for social worker license that meet the basic requirements for licensure in section 4757.28 of the Revised Code and rule 4757-19-01 of the Administrative Code shall be approved if the following conditions are met:
- (a) Applications for social worker received with no questions requiring review by the board such as felony convictions, loss of license in another state, etc.
 - (b) Transcript provided directly from an accredited educational institution of a bachelor's, master's or doctoral degree in social work.
 - (c) Proof of passing an examination administered by the board for the purpose of determining ability to practice as a social worker.
- (3) Applications for social worker assistant registration shall be approved if the following conditions are met:
- (a) Applications for social worker assistant received with no questions requiring review by the board such as felony convictions, loss of license in another state, etc.
 - (b) Transcript provided directly from an accredited educational institution of an associate degree in social service technology or a bachelor's degree that is equivalent to an associate degree in social service technology or a related bachelor's or higher degree that clearly meets the requirements of rule 4757-19-03 of the Administrative Code.
- (B) Complete applications that meet the following conditions shall be held for the social worker professional standards committee review at the next regularly scheduled meeting, if received at least ten days prior to the meeting.
- (1) All applications that have answered questions requiring review by the board such as felony convictions, loss of license in another state, etc.
 - (2) All applications from related degree applicants.
 - (3) All applications with degrees from non-accredited universities.
 - (4) All applications which staff is not comfortable approving without the social worker professional standards committee's review.

HISTORY: 9-20-07

Rule promulgated under: RC 119.03

Rule authorized by: RC 4757.10, 4757.27, 4757.28 & 4757.29

Rule amplifies: RC 4757.27, 4757.28 & 4757.29

119.032 Review Date: 9-20-12

4757-21-01 Scope of practice for a registered social work assistant.

(A) As prescribed in division (C) of section 4757.26 of the Revised Code the board adopts the following scope of practice for a registered social work assistant. Each licensee of the board has a personal professional scope of practice, which is determined by their education, training and practice as defined within the board's ethics rules in paragraph (A) of rule 4757-5-02 of the Administrative Code.

(B) A registered social work assistant may under the direct supervision of an independent social worker, social worker, professional clinical counselor, professional counselor, a psychologist, a psychiatrist, or a registered nurse who holds a master's degree in psychiatric nursing perform for a fee, salary, or other consideration, human services, social services and community services that may include but not limited to:

- (1) Intake, assessment and referral, screening, crisis intervention and resolution; and
- (2) Community support, case management and outreach, record keeping, social assessment, visual observation of person in environment, assist in facilitation with groups and families, advocacy; orientation, education and prevention services.

HISTORY: 6-11-85 (Emer.); 9-19-85 (Emer.); 12-19-85; 7-3-97; 9-20-02; 10-18-09

Rule promulgated under: RC 119.03

Rule authorized by: RC 4757.26

Rule amplifies: RC 4757.26

R.C. 119.032 review dates: 9/20/12

Note deleted comma in (B)(1): The comma between intake and assessment gives the idea of two separate functions. In social work an intake assessment generally means gathering demographic information to determine if a prospective client is appropriate and eligible for services. An assessment is determining the nature of a problem; the strengths and weakness found in the assessment are then used to develop the treatment plan.

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4757-21-02 Scope of practice for a 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 a social worker. Each social worker has a personal competency within the license's scope of practice, which is determined by their education, training and practice as defined within the board's ethics rules in paragraph (A) of rule 4757-5-02 of the Administrative Code.

- (A) A social worker may perform for a fee, salary, or other consideration, counseling and psychosocial interventions without supervision; and social psychotherapy under the supervision of an independent social worker, a professional clinical counselor, a psychologist, a psychiatrist, or a registered nurse with a master's degree in psychiatric nursing.
- (B) When practicing as an employee of a private individual, partnership, or group practice, a social worker may perform for a fee, salary, or other consideration, counseling, psychological interventions, and social psychotherapy only if supervised by an independent social worker, a clinical counselor, a psychologist, a psychiatrist or a registered nurse with a master's degree in psychiatric nursing.
- (C) A social worker may practice as an independent contractor.
- (D) The scope of practice for a social worker may include the following range of psychosocial duties:
 - (1) Intervention planning;
 - (2) Psychosocial intervention;
 - (3) Counseling;
 - (4) Social psychotherapy under supervision; and
 - (5) Evaluation.

HISTORY: 6-11-85 (Emer.); 9-19-85 (Emer.); 12-19-85; 7-3-97; 10-18-09

Rule promulgated under: RC 119.03

Rule authorized by: RC 4757.26

Rule amplifies: RC 4757.26

119.032 Review Date: 9/20/12

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 within the board's ethics rules in paragraph (A) of rule 4757-5-02 of the Administrative Code.

- (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, 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 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.

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- (5) Provide clinical 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](#).

HISTORY: 6-11-85 (Emer.); 9-19-85 (Emer.); 12-19-85; 7-3-97; 9-20-07; 10-18-09

Rule promulgated under: RC 119.03

Rule authorized by: RC 4757.26

Rule amplifies: RC 4757.26

Replaces: 4757-15-03

119.032 Review Date: 9/20/12

4757-23-01 Social work supervision.

This rule applies to all social work assistants; to all social workers employed in a private practice, partnership, or group practice; to all social workers engaged in social psychotherapy; and to all social workers seeking licensure as independent social workers.

(A) Definitions of social work supervision:

- (1) "Clinical supervision" of social workers performing social psychotherapy and social workers employed in a private practice, partnership, or group practice means the quantitative and qualitative evaluation of the supervisee's performance; professional guidance to the supervisee; approval of the supervisee's intervention plans and their implementation; the assumption of responsibility for the welfare of the supervisee's clients; and assurance that the supervisee functions within the limits of their license. The assessment, diagnosis, treatment plan, revisions to the treatment plan and transfer or termination shall be cosigned by the supervisor and shall be available to the board upon request.
- (2) "Training supervision" means supervision for the purposes of obtaining a license and/or development of new areas of proficiency while providing services to clients. Training supervision may be individual supervision or group supervision.
 - (a) "Individual supervision" means face-to-face contact between a supervisor and an individual supervisee in a private session wherein the supervisor and supervisee deal with problems unique to the practice of that supervisee.
 - (b) "Group supervision" means face-to-face contact between a supervisor and a small group (not to exceed six supervisees) in a private session wherein practice problems are dealt with that are similar in nature and complexity to all supervisees in the group.

(B) Clinical supervision requirements.

- (1) A social worker engaged in social psychotherapy in an agency setting shall be supervised by an independent social worker, a professional clinical counselor, a psychologist, a psychiatrist or a registered nurse with a master's degree with a specialty in psychiatric nursing.
- (2) A social worker working as an employee of a partnership, group or private practice shall be supervised in all practice of social work by a supervisor listed in paragraph (B)(1) of this rule.

(C) Training supervision of licensed social workers by licensed independent social workers with a supervision designation requires the supervisor to:

- (1) Have demonstrated competence in the area in which they are supervising;
- (2) Have training in supervision theory and practice;
- (3) Have training in legal and ethical issues relevant to counseling, psychosocial interventions and social psychotherapy;
- (4) 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.

(D) Requirements for social work professional training supervision to qualify for licensure as an independent social worker:

- (1) One hour of individual and/or group supervision for each twenty hours of work by the supervisee with no less than one hundred fifty hours total.

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- (2) Employment experience obtained after October 10, 1986, that is required for licensure as an independent social worker, shall be supervised by a independent social worker. Employment experience obtained after September 1, 2008, that is required for licensure as an independent social worker, shall be supervised by an independent social worker with supervision designation.
- (3) 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 of supervision, content and goals of supervision. The supervisor shall sign the supervision records at least quarterly to document their review.
- (4) There shall be no direct family relationship between the supervisor and the supervisee if the experience is to be counted toward the fulfillment of the licensure requirement.
- (5) Certification that the requirements of this rule have been met shall be submitted by the applicant on a form designated by the board at time of licensure application.
- (6) If the training supervision is occurring in Ohio, the supervisee and the supervisor shall be licensed in Ohio.
- (7) Requests for exceptions to this rule, due to hardship, shall be made in writing to the committee.

(E) Requirements for social work professional training in supervision to qualify for a supervisory designation:

- (1) Only independent social workers who have obtained a supervisory designation shall provide training supervision. Applicants for supervisory designation shall apply on forms required by the board and shall document at least the following requirements.
 - (a) One year post licensure experience as an independent social worker; and
 - (b) Training in supervision of at least nine hours of continuing education in committee approved supervision programs or one master's level supervision course, which shall be completed as follows: between the date the applicant received the independent social worker and the date the applicant is applying for the supervision designation using continuing education training; or complete a master's level supervision course from an accredited university within the last three years.
- (2) All supervising independent social workers shall maintain supervisory status by obtaining three hours of social workers professional standards committee approved continuing professional education in supervision or a master's level course in supervision each renewal period.
- (3) If the minimum of nine hours of academic preparation is continuing education coursework, it shall be board approved. The continuing education coursework in social work training supervision shall include each area as follows:
 - (a) The coursework shall total nine clock hours of didactic and interactional instruction; and
 - (b) The coursework shall contain content that satisfies the following learning objectives:
 - (i) The participant will become familiar with the major models of supervision for social work;
 - (ii) Gain skills to develop a personal model of supervision, drawn from existing models of supervision;
 - (iii) Understand the co-evolving dynamics of licensee-client and supervisor-licensee-client relationships;
 - (iv) Explore distinctive issues that arise in supervision;
 - (v) Address the contextual variables in practice such as culture, gender, ethnicity, power and economics;
 - (vi) Become familiar with the ethical, legal and regulatory issues of supervision; and
 - (vii) Understand the role of evaluation in supervision.

HISTORY: 5-22-86; 7-3-97; 9-20-02; 9-20-07; 11-2-08; 10-18-09; 9-1-11

Rule promulgated under: RC 119.03

Rule authorized by: RC 4757.27

Rule amplifies: RC 4757.27

R.C. 119.032 review dates: 9/20/12

| CSW - # of Cred by Prefix & Status | | |
|---|-----------------------------------|--------------|
| Report generated on 5/1/2012 at 7:38:15 AM | | |
| Prefix | Credential Status | Count |
| C | ACTIVE | 5033 |
| C | ACTIVE IN RENEWAL | 248 |
| C | ACTIVE IN RENEWAL - PAID | 100 |
| C | Application Incomplete | 91 |
| C | DECEASED | 14 |
| C | DENIED | 101 |
| C | EXAM PENDING | 820 |
| C | EXPIRED | 8462 |
| C | FAILED TO RENEW | 386 |
| C | FAILED TO RENEW - PAID | 10 |
| C | NEVER LICENSED | 342 |
| C | PENDING | 394 |
| C | REVOKED | 3 |
| C | SURRENDERED | 1 |
| C | Surrendered in Lieu of Discipline | 6 |
| C | SUSPENDED | 2 |
| C | UPGRADE | 5618 |
| Credential Prefix Totals | | 21631 |
| E | ACTIVE | 4316 |
| E | ACTIVE IN RENEWAL | 174 |
| E | ACTIVE IN RENEWAL - PAID | 116 |
| E | Application Incomplete | 59 |
| E | DECEASED | 23 |
| E | DENIED | 4 |
| E | EXAM PENDING | 431 |
| E | EXPIRED | 1243 |
| E | FAILED TO RENEW | 214 |
| E | FAILED TO RENEW - PAID | 4 |
| E | NEVER LICENSED | 33 |
| E | PENDING | 26 |
| E | REVOKED | 12 |
| E | Surrendered in Lieu of Discipline | 9 |
| E | SUSPENDED | 5 |
| E | UPGRADE | 678 |
| Credential Prefix Totals | | 7347 |
| F | ACTIVE | 163 |
| F | ACTIVE IN RENEWAL | 14 |
| F | ACTIVE IN RENEWAL - PAID | 21 |
| F | Application Incomplete | 10 |
| F | DECEASED | 2 |
| F | DENIED | 1 |
| F | EXAM PENDING | 3 |
| F | EXPIRED | 28 |
| F | FAILED TO RENEW | 12 |
| F | NEVER LICENSED | 5 |
| F | PENDING | 11 |
| Credential Prefix Totals | | 270 |
| I | ACTIVE | 6694 |
| I | ACTIVE IN RENEWAL | 657 |
| I | ACTIVE IN RENEWAL - PAID | 367 |
| I | DECEASED | 48 |
| I | DENIED | 2 |
| I | EXPIRED | 3706 |
| I | FAILED TO RENEW | 460 |
| I | FAILED TO RENEW - PAID | 14 |
| I | NEVER LICENSED | 147 |
| I | PENDING | 190 |
| I | REVOKED | 12 |

| CSW - # of Active Cred by Prefix & Stat | | | |
|--|--------|--------------------------|--------------|
| Report generated on 5/1/2012 at 7:39:16 AM | | | |
| Prefix | Subcat | Credential Status | Count |
| C | | ACTIVE | 3148 |
| C | | ACTIVE IN RENEWAL | 209 |
| C | | ACTIVE IN RENEWAL - PAID | 92 |
| C | | FAILED TO RENEW - PAID | 9 |
| C | CR | ACTIVE | 932 |
| C | PROV | ACTIVE | 4 |
| C | SUPV | ACTIVE | 276 |
| C | SUPV | ACTIVE IN RENEWAL | 39 |
| C | SUPV | ACTIVE IN RENEWAL - PAID | 8 |
| C | SUPV | FAILED TO RENEW - PAID | 1 |
| C | TRNE | ACTIVE | 611 |
| PC (no CR or CT) | | | 3786 |
| E | | ACTIVE | 1812 |
| E | | ACTIVE IN RENEWAL | 70 |
| E | | ACTIVE IN RENEWAL - PAID | 39 |
| E | | FAILED TO RENEW - PAID | 3 |
| E | SUPV | ACTIVE | 2503 |
| E | SUPV | ACTIVE IN RENEWAL | 104 |
| E | SUPV | ACTIVE IN RENEWAL - PAID | 77 |
| E | SUPV | FAILED TO RENEW - PAID | 1 |
| PCC | | | 4609 |
| F | | ACTIVE | 163 |
| F | | ACTIVE IN RENEWAL | 14 |
| F | | ACTIVE IN RENEWAL - PAID | 21 |
| IMFT | | | 198 |
| I | | ACTIVE | 2327 |
| I | | ACTIVE IN RENEWAL | 259 |
| I | | ACTIVE IN RENEWAL - PAID | 104 |
| I | | FAILED TO RENEW - PAID | 9 |
| I | SUPV | ACTIVE | 4364 |
| I | SUPV | ACTIVE IN RENEWAL | 398 |
| I | SUPV | ACTIVE IN RENEWAL - PAID | 263 |
| I | SUPV | FAILED TO RENEW - PAID | 4 |
| LISW | | | 7728 |
| M | | ACTIVE | 86 |
| M | | ACTIVE IN RENEWAL | 3 |
| M | | ACTIVE IN RENEWAL - PAID | 1 |
| M | TEMP | ACTIVE | 1 |
| MFT | | | 91 |
| S | | ACTIVE | 14529 |
| S | | ACTIVE IN RENEWAL | 740 |
| S | | ACTIVE IN RENEWAL - PAID | 310 |
| S | | FAILED TO RENEW - PAID | 41 |
| S | TRNE | ACTIVE | 509 |
| LSW (no SWT) | | | 15620 |
| W | | ACTIVE | 539 |
| W | | ACTIVE IN RENEWAL | 32 |
| W | | ACTIVE IN RENEWAL - PAID | 9 |
| W | | FAILED TO RENEW - PAID | 1 |
| SWA | | | 581 |
| Total Active Licensees | | | 32613 |

Licenses totaled above for each major license group.

| | | |
|---------------------------------|-----------------------------------|-------|
| I | SURRENDERED | 1 |
| I | Surrendered in Lieu of Discipline | 4 |
| I | SUSPENDED | 4 |
| I | UPGRADE | 5399 |
| Credential Prefix Totals | | 17705 |
| M | ACTIVE | 87 |
| M | ACTIVE IN RENEWAL | 3 |
| M | ACTIVE IN RENEWAL - PAID | 1 |
| M | Application Incomplete | 36 |
| M | DECEASED | 1 |
| M | DENIED | 12 |
| M | EXAM PENDING | 52 |
| M | EXPIRED | 19 |
| M | FAILED TO RENEW | 4 |
| M | NEVER LICENSED | 26 |
| M | PENDING | 20 |
| M | UPGRADE | 28 |
| Credential Prefix Totals | | 289 |
| R | EXPIRED | 523 |
| R | REVOKED | 2 |
| Credential Prefix Totals | | 525 |
| S | ACTIVE | 15059 |
| S | ACTIVE IN RENEWAL | 740 |
| S | ACTIVE IN RENEWAL - CE PENDING | 1 |
| S | ACTIVE IN RENEWAL - INCOMPLETE | 1 |
| S | ACTIVE IN RENEWAL - PAID | 310 |
| S | DECEASED | 53 |
| S | DENIED | 74 |
| S | EXPIRED | 19593 |
| S | FAILED TO RENEW | 1308 |
| S | FAILED TO RENEW - PAID | 42 |
| S | NEVER LICENSED | 1233 |
| S | PENDING | 1394 |
| S | REVOKED | 69 |
| S | SURRENDERED | 2 |
| S | Surrendered in Lieu of Discipline | 13 |
| S | SUSPENDED | 9 |
| S | UPGRADE | 3543 |
| Credential Prefix Totals | | 43444 |
| W | ACTIVE | 539 |
| W | ACTIVE IN RENEWAL | 33 |
| W | ACTIVE IN RENEWAL - PAID | 9 |
| W | DECEASED | 2 |
| W | DENIED | 30 |
| W | EXPIRED | 1769 |
| W | FAILED TO RENEW | 169 |
| W | FAILED TO RENEW - PAID | 1 |
| W | NEVER LICENSED | 80 |
| W | PENDING | 91 |
| W | REVOKED | 11 |
| W | Surrendered in Lieu of Discipline | 2 |
| W | SUSPENDED | 1 |
| W | UPGRADE | 160 |
| Credential Prefix Totals | | 2897 |
| Grand Totals | | 94108 |

CSWMFT Board Budget Report

as of 5-3-2012

| Fund Code | Account | ALI | Department | Budget Period | Budget | Expense | Encumbrance | Available Budget* | % Available |
|-----------|---------|--------|------------|---------------|---------------|---------------|-------------|-------------------|-------------|
| 4K90 | 500 | 899609 | CSW | 2012Q1 | \$ 206,056.59 | \$ 206,056.59 | \$ - | 0 | 0 |
| 4K90 | 500 | 899609 | CSW | 2012Q2 | \$ 239,832.81 | \$ 239,832.81 | \$ - | 0 | 0 |
| 4K90 | 500 | 899609 | CSW | 2012Q3 | \$ 201,683.20 | \$ 201,683.20 | \$ - | 0 | 0 |
| 4K90 | 500 | 899609 | CSW | 2012Q4 | \$ 270,964.40 | \$ 105,458.52 | \$ - | 165,505.88 | 61.08 |
| 4K90 | 510 | 899609 | CSW | 2012 | \$ 22,000.00 | \$ 7,229.86 | \$ 9,560.00 | 5,210.14 | 23.68 |
| 4K90 | 520 | 899609 | CSW | 2012 | \$ 259,597.52 | \$ 169,349.59 | \$ 3,238.72 | 87,009.21 | 33.52 |
| 4K90 | 530 | 899609 | CSW | 2012 | \$ 3,600.48 | \$ 3,600.48 | \$ - | 0 | 0 |
| 4K90 | 595 | 899609 | CSW | 2012 | \$ 500.00 | \$ 136.00 | \$ - | 364 | 72.8 |

| | | | | | | | |
|-----------------------|---------------------|--|-------------|-----------------|---------------|-----------------------|------------------|
| | | | | \$ 1,204,235.00 | \$ 933,347.05 | \$ 12,798.72 | 258089.23 |
| Projected Payroll | \$898,000.00 | | Payroll | \$ 918,537.00 | \$ 753,031.12 | | 165,505.88 |
| <u>Excess Payroll</u> | <u>\$ 20,537.00</u> | | Non-Payroll | \$ 285,698.00 | \$ 180,315.93 | \$ 12,798.72 | 92,583.35 |
| | | | | | | Encumbrance+ | 105,382.07 |
| | | | | | | <u>Excess Non-Pay</u> | <u>59,418.37</u> |

Excess includes State paying 1st pay period with GRF - \$29000+ Original plan was to hire for new position in January. Board member pay and travel are down We reduced DAS expenses by approximately -

| | | |
|--------------|--------------------|--------------|
| Encumbrances | Unemployment | 602.7 |
| | Witness | -4500 |
| | IT Maintenance | 1750 in work |
| | Office Supplies | 1300 |
| | Travel | 7500 |
| | Time Warner | 465 |
| | Shredding | 150 |
| | Copy Machine | 550 |
| | Storage Rental | 500 |
| | Auditor | 12246 |
| | DAS | 17500 |
| | OBM | 600 |
| | <u>5th3rd Bank</u> | <u>7300</u> |
| | | 45963.7 |

FY 2012 Revenues CSWMFT Board

as of 4/30/2012

| Account Title | Renewals & Applications | Late Fees | L&R-CE-Ver | Total Revenues |
|-----------------------------------|------------------------------------|---------------------|-----------------------|-----------------------|
| HOLD - Credit Cards | \$ 48,705.02 | | | \$ 48,705.02 |
| CE Program Fees | \$ 1,650.00 | | | \$ 1,650.00 |
| CE Provider Fees | \$ 1,000.00 | | | \$ 1,000.00 |
| MISCELLANEOUS - Verification Fees | \$ 5.00 | | \$ 9,075.00 | \$ 9,080.00 |
| Board Miscellaneous | \$ 51,360.02 | | | \$ 60,435.02 |
| LICENSED SOCIAL WORKER RENEW | \$ 320,740.00 | \$ 17,280.00 | L&R-SWapps | \$ 338,020.00 |
| LICENSED SOCIAL WORKER APP | \$ 58,380.00 | | \$ 12,180.00 | \$ 70,560.00 |
| LIC INDEP SOCIAL WORKER RENEW | \$ 206,250.00 | \$ 4,880.00 | CE-SW | \$ 211,130.00 |
| LIC INDEP SOCIAL WORKER APP | \$ 26,250.00 | | \$ 1,350.00 | \$ 27,600.00 |
| SOCIAL WORKER ASSIST RENEW | \$ 7,240.00 | \$ 920.00 | | \$ 8,160.00 |
| SOCIAL WORKER ASSIST APP | \$ 3,720.00 | | | \$ 3,720.00 |
| LICENSED SOCIAL WORKER TEMP | \$ 40.00 | | | \$ 40.00 |
| SWPSC Total | \$ 622,620.00 | \$ 23,080.00 | \$ 13,530.00 | \$ 659,230.00 |
| PROFESSIONAL COUNSELOR RENEW | \$ 76,140.00 | \$ 5,120.00 | L&R-PCapps | \$ 81,260.00 |
| PROFESSIONAL COUNSELOR APP | \$ 24,600.00 | | \$ 6,330.00 | \$ 30,930.00 |
| PROF CLINICAL COUNSELOR RENEW | \$ 126,510.00 | \$ 3,880.00 | CE-PC | \$ 130,390.00 |
| PROF CLINICAL COUNSELOR APP | \$ 19,365.00 | | \$ 1,710.00 | \$ 21,075.00 |
| CPSC Total | \$ 246,615.00 | \$ 9,000.00 | \$ 8,040.00 | \$ 263,655.00 |
| MAR & FAMILY THERAPIST RENEW | \$ 1,380.00 | \$ 80.00 | L&R-MFTapps | \$ 1,460.00 |
| MAR & FAMILY THERAPIST APP | \$ 1,200.00 | | \$ 310.00 | \$ 1,510.00 |
| INDEP MAR & FAM THERAPST RENEW | \$ 4,950.00 | \$ 280.00 | CE-MFT | \$ 5,230.00 |
| INDEP MAR & FAM THERAPIST APP | \$ 900.00 | | \$ 120.00 | \$ 1,020.00 |
| MFTPSC Total | \$ 8,430.00 | \$ 360.00 | \$ 430.00 | \$ 9,220.00 |
| Board Total | \$ 929,025.02 | \$ 32,440.00 | \$ 31,075.00 | \$ 992,540.02 |

Revenue from 2/28/11 was \$957,710.02

L&R is laws and rules exam
 CE is laws and rules CEU online
 VER is license verification

CSWMFT Board Disbursements in FY 2012

as of 4/30/2012

| Account | CSWMFT Projected & Actual Expenses Expense Title | FY 2012 Projected | FY 2012 Actual | FY 2011 PD in FY12 |
|----------------|---|------------------------------|---------------------------|-------------------------------|
| 513500 | UNEMPLOYMENT COMPENSATION | \$ 992.66 | \$ 389.96 | |
| 513604 | AASCB CONFERENCE REGISTRATION & FLIGHT | \$ 733.80 | \$ 733.80 | |
| 514900 | AASCB, ASWB & AMFTRB MEMBERSHIP | \$ 3,300.00 | \$ 3,300.00 | |
| 514903 | COLLEGE ACCREDITATION PUBLICATION | \$ 75.00 | \$ 75.00 | |
| 514904 | SURVEY MONKEY | \$ 200.00 | \$ 200.00 | |
| 514905 | LEGISLATIVE REPORT SUBSCRIPTION | \$ 1,050.00 | \$ 1,050.00 | |
| 515503 | COURT REPORTER | \$ 1,600.00 | \$ 1,402.45 | |
| 515505 | HEARING OFFICERS RC 119 | \$ 3,000.00 | \$ 440.00 | |
| 515509 | SUBPOENA FEES | \$ 100.00 | \$ 22.45 | |
| 517001 | PC & SERVER MAINTENANCE CONTRACT | \$ 1,750.00 | | |
| 517001 | LAWS & RULES EXAM UPDATE | \$ - | | \$ 2,864.00 |
| 521101 | OFFICE SUPPLIES & EQUIPMENT | \$ 4,800.00 | \$ 3,571.56 | |
| 521104 | DUPLICATING AND PAPER SUPPLIES | \$ 223.54 | \$ 223.54 | |
| 521105 | DATA PROCESSING SUPPLIES&EQUIP | \$ 279.95 | \$ 279.95 | \$ 450.00 |
| 521222 | DRUG TESTING | \$ 33.70 | \$ 33.70 | |
| 523600 | OAKS TRAVEL - BOARD MEMBERS | \$ 16,000.00 | \$ 12,856.89 | |
| 523600 | OAKS TRAVEL - STAFF | \$ 10,000.00 | \$ 7,601.35 | |
| 524201 | T-1 LINE & CABLE INTERNET | \$ 2,790.00 | \$ 2,325.00 | \$ 232.50 |
| 526103 | PRINTER & SCANNER MAINT | \$ 1,270.25 | \$ 1,270.25 | |
| 526105 | SHREDDING SERVICE | \$ 600.00 | \$ 475.00 | \$ 75.00 |
| 526121 | COPYING MACHINE SERVICE | \$ 2,100.00 | \$ 1,561.10 | \$ 170.52 |
| 526701 | SCANNER & PRINTER MAINTENANCE | \$ 1,880.97 | \$ 1,880.97 | |
| 527201 | ITEMS IN STORAGE RENTAL | \$ 1,000.00 | \$ 518.61 | \$ 51.75 |
| 527301 | OFFICE RENT | \$ 45,204.00 | \$ 45,204.00 | |
| 529201 | AUDITOR OF STATE | \$ 12,246.00 | | |
| 529201 | SHARED SVCS - TRAVEL PROCESSING | \$ 2,088.00 | \$ 1,488.00 | \$ 588.00 |
| 529201 | IT SERVICES - EMAIL- ROUTER- ETC | \$ 62.34 | \$ 62.34 | |
| | Insurance for Office | \$ 151.29 | \$ 151.29 | |
| | Real Estate Fee | \$ 226.02 | \$ 226.02 | |
| | Telephones | \$ 6,500.00 | \$ 4,277.34 | \$ 1,530.94 |
| | Printing | \$ 9,000.00 | \$ 5,487.24 | \$ 1,005.98 |
| 529201 | CENTRAL SERVICES AGENCY - FINANCE & HR | \$ 35,094.66 | \$ 35,094.66 | |
| 529207 | PRESORT MAIL POSTAGE | \$ 16,500.00 | \$ 12,213.41 | \$ 3,245.40 |
| 529208 | DAS COMPUTER USAGE | | | \$ 191.35 |
| | eLicensing & L+R Exam Support | \$ 6,000.00 | \$ 1,914.00 | \$ 116.00 |
| | Router - Internet access | \$ 5,150.00 | \$ 3,418.92 | \$ 871.14 |
| | eLicensing Cost | \$ 8,502.00 | \$ 8,502.00 | |
| | Computer Usage &Email | \$ 2,300.00 | \$ 722.20 | \$ 553.87 |
| 529214 | ETHICS COMMISSION & JLEC (Lobby) FEES | \$ 1,260.00 | \$ 1,260.00 | |
| 529823 | MISCELLANEOUS EXPENSE REIMBURSEMENTS | \$ 500.00 | \$ 451.41 | |
| 529929 | BANK CHARGES CREDIT CARD | \$ 20,000.00 | \$ 12,735.33 | \$ 4,422.79 |
| 531101 | IT EQUIPMENT - New Server | \$ 4,092.59 | \$ 3,600.48 | |
| 537100 | MICROSOFT OFFICE 2010 | | | \$ 4,578.32 |
| 595602 | OTHER REFUNDS | \$ 136.00 | \$ 136.00 | |
| | Total | \$ 227,800.11 | \$ 177,156.22 | \$ 20,947.56 |
| | *Total Non-Payroll Appropriation | \$ 285,698.00 | | |
| | Projected excess (-\$) or deficit (+\$) | \$ (57,897.89) | | |
| | Total Spent in FY 2012 | | \$ 198,103.78 | |

Non-Payroll appropriation includes \$31,000+ from the 1st pay period paid w/ FY 2011 dollars.
 Major savings -reduced DAS, Internet connection, no LAN fees and PC maintenance
 We are really about \$25,000 under due to the payroll issue above.