



Counselor, Social Worker & Marriage and Family Therapist Board

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To: Licensees and Stakeholders

From: Brian Carnahan, Executive Director

Re: Proposed Rule Changes – Public Comment Opportunity

Date: 8-4-2015

During its September 24 and 25, 2015 meetings, the CSWMFT Board will consider approving rules for submission in the formal rule making process. This document includes brief summaries of those changes as well as edited versions of the proposed rules. Stakeholders and licensees are encouraged to comment before the September meeting. Upon final approval by the Board, the proposed rules will be submitted for formal consideration in the rule making process. The public will then have another opportunity to comment before any rules take effect.

Comments and questions may be directed to me by mail at the address above or via e-mail at brian.carnahan@cswb.ohio.gov.

Summary of CSWMFT Board Rule Changes (8/3/15)

4757-3-01 Definitions.

Includes a Social Work definition of counseling; removes MFT reference with respect to graduate coursework; exempts telephonic communication from electronic service delivery

4757-3-02 Abbreviations and titles.

Delete CR reference.

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

Adds a provision regarding notification to the client if the licensee uses search engines or social media to obtain information about the client; adds a provision regarding additional disclosure to clients with mandated counseling.

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

Adds a provision regarding establishing social media-based relationships with clients.

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

Removes a section regarding consensual sexual relationships between counselors and clients.

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

Removes a reference to a rescinded rule regarding disclosure statements; clarifies that encryption is not required for non-confidential communications.

4757-9-06 Sources of continuing professional education.

Removes independent learning opportunity as a source of Continuing Education; Adds a requirement that an official or unofficial transcript must be provided when auditing a college or university course.

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

Removes two-year time for exam passage.

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

Delete CR reference.

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

Delete CR reference.

4757-17-01 Counseling supervision.

Eliminates the Clinical Resident status.

4757-19-06 Requirements for social work applicants wishing to obtain a temporary social work license.

Adds "not to exceed" language.

4757-21-03 Scope of practice for an independent social worker

Removes the requirement to provide training supervision. This is only a requirement for LISW licensees with a Supervisor designation.

4757-25-01 Education requirements for admission to the examination for marriage and family therapist

The MFT PSC is considering changes to the education requirements that will more closely align Ohio's requirements with those of COAMFTE. At this time, no detailed changes to the rule have been proposed. Interested parties are invited to comment.

4757-25-04 Requirements for licensure as an independent marriage and family therapist

Add "face-to-face" in defining client contact hours.

4757-25-05 Temporary marriage and family therapist license

Adds a provision allowing a temporary license to be renewed in the event of a hardship.

4757-3-01 Definitions.

The following meanings shall apply to all rules promulgated by the counselor, social worker, and marriage and family therapy board, unless in a specific paragraph under one of the counselor, social worker, and marriage and family therapist board rules, the word or term is explicitly defined or used in different manner.

- (A) The terms "practice of professional counseling," "clinical counseling principles, methods, or procedures," "social work," "accredited educational institution," and "mental and emotional disorders" shall for the purposes of these rule have the same meanings as set forth in section 4757.01 of the Revised Code.
- (B) The terms "renewal," "renewed," "license," and "licensee" shall for the purposes of these rules have the same meanings as set forth in section 4757.01 of the Revised Code.
- (C) "Agency" means an organization, which has a clearly defined mission statement with goals and objectives that include the provision of counseling, social work, and/or marriage and family therapy services, and which is recognized by a unit of government or others authorized to legitimize its functions. In addition, it shall have clearly defined lines of authority, a formal decision-making process, and differentiated staff roles with written job descriptions. Agency settings include private non-profit organizations, public organizations, and others approved by the board, that are engaged in the practice of social work, counseling, and/or marriage and family therapy. Settings in which social work, counseling, and/or marriage and family therapy is practiced as a private practitioner, as a member of a partnership, or as a member of a group practice are not included.
- (D) "Applicant" means an individual who has:
 - (1) Filed with the executive director of the board a completed application for licensure as a licensed professional clinical counselor, licensed professional counselor, independent marriage and family therapist, marriage and family therapist, independent social worker, social worker, or for registration of title as a social work assistant, on forms prescribed by the board; and
 - (2) Signed the application form and had it notarized or submitted via the online application process; and,
 - (3) Paid the appropriate fee, if applicable.
- (E) "Application" means an online application or a written application, on forms prescribed by the board, filed with the executive director of the board, wherein the applicant has provided all the information required for the license the applicant desires.
- (F) "Board" means the counselor, social worker, and marriage and family therapist board. When the board is cited that may be the full board or one of the appropriate professional standards committees.
- (G) "Board office" means the business office of the counselor, social worker, and marriage and family therapist board.
- (H) "Civil service employee" means an individual employed by the state, the counties, cities, city health districts, general health districts, and city school districts thereof, as defined in division (A) of section 124.01 the Revised Code.
- (I) "Counseling" means the practice of professional counseling as defined in division (A) of section 4757.01 of the Revised Code for a fee salary, or other consideration.

- (J) "Coursework" means a college or university course at an accredited educational institution in which the applicant was enrolled for credit.
- (1) "Graduate coursework" for counselor ~~and marriage and family therapist~~ applicants means any coursework taken for a grade that meets the requirements of a post-baccalaureate degree and in which the applicant was enrolled after receiving their baccalaureate degree and in which the applicant received a grade of "B-" or higher.
- (2) "Graduate coursework" for social worker applicants means any coursework taken for a grade that meets the requirements of a post-baccalaureate degree and in which the applicant was enrolled and received credit after receiving their baccalaureate degree.
- (3) "Undergraduate coursework" means any coursework taken for a grade which is recognized by the granting institution as undergraduate coursework in which the applicant received a grade of "C-" or higher.
- (K) "Employee," "employed," "employment," and "experience" all refer to work for a fee or salary, not including practicum and/or internship experiences taken as part of an educational program, which falls within the scope of practice of the license for which the applicant is applying.
- (L) "License fee" means the fee(s) established by the board for the processing of applications and/or the issuance of licenses as specified in rule 4757-1-05 of the Administrative Code.
- (M) "Master's degree in social work" means a degree granted from an educational institution accredited by the council on social work education or an educational institution in candidacy for accreditation by the council.
- (N) "Private practice" and "private practitioner" mean an individual who independently, in partnership, or in corporation practices counseling, social work, or marriage and family therapy as defined in section 4757.01 of the Revised Code and sets up his/her own condition of exchange with those clients, and identifies himself/herself in any manner as a counselor, social worker, or marriage and family therapist in offering such services. Licensed professional counselors and marriage and family therapists shall do so under supervision as required by sections 4757.21 and 4757.30 of the Revised Code. Social workers may not engage in private practice per division (C) of section 4757.26 of the Revised Code.
- (O) "Scope of practice" means the services, methods, and techniques, in which and the areas for which, an individual is licensed or registered under Chapter 4757. of the Revised Code and under agency 4757 of the Administrative Code (agency number 4757 of the Administrative Code is reserved for the counselor, social worker and marriage and family therapist board).
- (P) "Social work" means the application of specialized knowledge of human development and behavior and social, economic, and cultural systems in directly assisting individuals, families, and groups to improve or restore their capacity for social functioning, including counseling, the use of psychosocial interventions, and social psychotherapy for a fee, salary, or other consideration.
- (1) "Psychosocial interventions" means the application of social work that involves individual, dyadic, family, or group interventions that utilize treatment modalities such as a family systems therapy, client centered advocacy, environmental modifications, community organization and/or organizational change. These modalities are implemented in crisis, short-term, and long-term therapeutic interventions directed at reducing, increasing, enhancing, maintaining, or changing target behaviors, areas of functioning, or environmental structures or processes.

(2) "Counseling" means a method used by social workers to assist individuals, couples, families, and groups in learning how to solve problems and make decisions about personal, health, social, educational, vocational, financial, and other interpersonal concerns.

~~(2)~~(3) "Social psychotherapy" means the application of social work toward the goal of enhancement and maintenance of psychosocial functioning of individuals, families, and small groups. It includes interventions directed to interpersonal interactions, intra-psychic dynamics, and life-support and management issues. It also includes the professional application of social work theory and methods to the treatment and prevention of psychosocial dysfunction, disability, or impairment, including mental and emotional disorders. Social psychotherapy consists of assessment; diagnosis; treatment, including psychotherapy and counseling; consultation; and evaluation.

~~(3)~~(4) "Social services" means those activities which improve and maintain an individual's functioning in institutions, at home, or in the community and which do not require the specialized knowledge of social work, counseling, psychosocial interventions, or social psychotherapy. For individuals performing only social services licensure is not required pursuant to Chapter 4757. of the Revised Code.

~~(4)~~(5) "Social Functioning" means living up to the expectations that are made of an individual by that person's own self, by the immediate social environment, and by society at large. These expectations, or functions, include meeting one's own basic needs and the needs of one's dependents and making positive contributions to society. Human needs include physical aspects (food, shelter, safety, health care, and protection), personal fulfillment (education, recreation, values, aesthetics, religion, and accomplishment), emotional needs (a sense of belonging, mutual caring, and companionship), and an adequate self-concept (self-confidence, self-esteem, and identity).

(Q) For the purpose of the counselor, social worker, and marriage and family therapist board rules and the licenses granted under them, the board adopts the following titles and meanings:

(1) "Licensed Professional Counselor" means a counselor licensed by the board to practice professional counseling as defined in division (A) of section 4757.01 of the Revised Code.

(2) "Licensed Professional Clinical Counselor" means a counselor licensed by the board to practice professional counseling and the unsupervised diagnosis and treatment of mental and emotional disorders and conditions as defined in division (A) of section 4757.01 of the Revised Code.

(3) "Independent Social Worker" means a social worker licensed by the board to practice social work as defined in division (C) of section 4757.01 of the Revised Code.

(4) "Social Worker" means a social worker licensed by the board to practice social work as defined in division (C) of section 4757.01 of the Revised Code.

(5) "Registered Social Work Assistant" means an individual issued a certificate of registration by the board in accordance with division (C) of section 4757.29 of the Revised Code.

(6) "Independent Marriage and Family Therapist" means a marriage and family therapist licensed by the board to practice marriage and family therapy as defined in division (G) of section 4757.01 of the Revised Code.

(7) "Marriage and Family Therapist" means a marriage and family therapist licensed by the board to practice marriage and family therapy as defined in division (G) of section 4757.01 of the Revised Code.

- (8) "Licensed Professional Counselor with training supervision designation" means a counselor who has been licensed by the board to practice professional counseling as defined in division (A) of section 4757.01 of the Revised Code and been awarded a training supervision designation per paragraph (E) of rule 4757-17-01 of the Administrative Code.
- (9) "Licensed Professional Clinical Counselor with training supervision designation" means a counselor licensed by the board to practice professional counseling and the unsupervised diagnosis and treatment of mental and emotional disorders and conditions as defined in division (A) of section 4757.01 of the Revised Code and been awarded a training supervision designation per paragraph (E) of rule 4757-17-01 of the Administrative Code.
- (10) "Independent Social Worker with training supervision designation" means a social worker licensed by the board to practice social work as defined in division (C) of section 4757.01 of the Revised Code and been awarded a training supervision designation per paragraph (D) of rule 4757-23-01 of the Administrative Code.
- (11) "Independent Marriage and Family Therapist with training supervision designation" means an independent marriage and family therapist licensed by the board to practice marriage and family therapy as defined in division (H) of section 4757.01 of the Revised Code and been awarded training supervision designation per paragraph (F) of rule 4757-29-01 of the Administrative Code.
- (R) "Counseling experience" means the applicant's primary employment responsibility was in counseling, supervision of a counseling program, or direct involvement in the administration or policy division of a counseling program.
- (S) "Clinical resident means a licensed professional counselor engaged in training supervision while seeking licensure as a licensed professional clinical counselor. The title to be used for this designation shall be "licensed professional counselor/clinical resident". A person may use this title until they have completed the three thousand hours required for the licensed professional clinical counselor license.
- (T) "Counselor trainee" means an individual who is a graduate student seeking voluntary registration per section 4757.10 of the Revised Code and has filed a training agreement with the board per rule 4757-13-09 of the Administrative Code and who is currently enrolled in either a practicum or internship in a counselor education program as defined in paragraph (A)(4) of rule 4757-13-01 of the Administrative Code.
- (U) "Doctoral internship" means a doctoral internship which is taken in a counselor education program which is approved by the counselor professional standards committee or at a counselor education program which meets the criteria of a committee approved program.
- (V) "Impaired or impairment" means the presence of the disorder of alcoholism, substance abuse, mental illness or other debilitating conditions.
- (W) "Impaired treatment program" means a plan of care and rehabilitation services provided by organizations or persons authorized by the board to provide such services.
- (X) "Impairment program" means a program for the prevention, detection, intervention, rehabilitation, and monitoring of impaired counselors, social workers or marriage and family therapists.
- (Y) "Practice of marriage and family therapy" means the practice of marriage and family therapy as defined in division (H) of section 4757.01 of the Revised Code, for a fee, salary or other consideration.

- (Z) "Client" as used in agency 4757 of the Administrative Code, means a patient or consumer of services or that person's legal guardian, or any other receiver of mental health services.
- (AA) "Social worker trainee" means an individual who is a graduate student seeking voluntary registration per section 4757.10 of the Revised Code and rule 4757-19-05 of the Administrative Code and is currently enrolled in a master's level practicum, internship or field work course in a social work education program accredited by the "Council on Social Work Education" (CSWE) or an educational institution in candidacy for accreditation by the council.
- (BB) "Independent Contractor" means an individual who meets the internal revenue service (IRS) definition as an independent contractor in (IRS) publication 15-A, which can be found at <http://www.irs.gov/pub/irs-pdf/p15a.pdf>.
- (CC) "Peer Supervision" means the joint or mutual discussion of issues in supervision by supervising counselors for the purpose of improving the quality of supervision.
- (DD) "First-hand knowledge" means the direct knowledge of a supervisee's work through audio tape and/or video tape and/or live supervision.
- (EE) "Electronic service delivery" (electronic therapy, cyber therapy, e-therapy, etc.) means counseling, social work or marriage and family therapy in any form offered or rendered primarily by electronic or technology-assisted approaches, except telephonic, when the counselor, social worker or marriage and family therapist and the client are not located in the same place during delivery of services.
- (FF) "Marriage and Family Therapist trainee" means an individual who is a graduate student seeking voluntary registration per section 4757.10 of the Revised Code, and has filed a training agreement with the board per rule 4757-25-08 of the Administrative Code and is currently enrolled in either a practicum or internship in a marriage and family therapy education program as defined in paragraph (A) of rule 4757-25-01 of the Administrative Code.
- (GG) "Late completion of continuing education" for counselor, social worker, or marriage and family therapy licensure renewal required under section 4757.33 of the Revised Code and by rules 4757-9-01, 4757-9-02 and 4757-9-03 of the Administrative Code means an active licensee renewed their license or registration without completing the requisite continuing education hours, which they swore or affirmed in their renewal application that they had obtained.
- (HH) "Accredited" or "Appropriately Accredited" means an institution accredited or holding pre-accredited status at the college level by an accreditation agency recognized by the U. S. secretary of education; or an institution accredited at the college level by an accrediting agency recognized by the council for higher education accreditation "CHEA."

4757-3-02 Abbreviations and titles.

- (A) Counselors, social workers, and marriage and family therapists licensed or registered by the board shall use the following abbreviations to designate their titles as defined in paragraphs (Q)(1) to (Q)(10), (S), (T), (AA) and (FF) of rule 4757-3-01 of the Administrative Code:
- (1) "LPCC" means a "Licensed Professional Clinical Counselor";
 - (2) "LPCC-S" means a "Licensed Professional Clinical Counselor with training supervision designation";
 - (3) "LISW or "ISW" means an "Independent Social Worker";
 - (4) "LISW-S" or "ISW-S" means an "Independent Social Worker with training supervision designation";
 - (5) "LPC" means a "Licensed Professional Counselor";
 - (6) "LPC-S" means a "Licensed Professional Counselor with training supervision designation";
 - (7) "LSW" or "SW" means a "Social Worker";
 - (8) "SWA" means a "Registered Social Work Assistant";
 - (9) "CT" means a "Registered Counselor Trainee";
 - ~~(10)~~ (10) "~~CR~~" means a "~~Registered Clinical Resident~~";
 - ~~(11)~~ (10) "IMFT" means an "Independent Marriage and Family Therapist";
 - ~~(12)~~ (11) "MFT" means a "Marriage and Family Therapist";
 - ~~(13)~~ (12) "SWT" means a registered "Social Worker Trainee".
 - ~~(14)~~ (13) "LPC-TEMP" means a "Licensed Professional Counselor" with a temporary license.
 - ~~(15)~~ (14) "LSW-TEMP" or "SW-TEMP" means a "Social Worker" with a temporary license.
 - ~~(16)~~ (15) "MFT-TEMP" means a "Marriage and Family Therapist" with a temporary license.
 - ~~(17)~~ (16) "IMFT-S" means an "Independent Marriage and Family Therapist" with training supervision designation.
 - ~~(18)~~ (17) "MFTT" means a registered "Marriage and Family Therapist Trainee."
- (B) Licensees shall indicate after their name on official documents the appropriate abbreviations of the current active license, or licenses, issued to them by this board.
- (C) No person licensed by this board shall use after their name the title of abbreviation for any license, certification, or registration that they do not hold at the time of the use of said title or abbreviation.
- (D) A person whose license has been suspended or revoked by the board or its professional standards committee shall not use with their name the abbreviation or title of that license while it is under suspension or revocation, nor shall any person whose license has expired use its abbreviation or title.
- (E) The use of any abbreviation or title contained in this rule by persons unlicensed by this board shall be

considered a violation of divisions (A) to (C) of section 4757.02 of the Revised Code.

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 claim skills in specialty areas only after appropriate education, training, and while receiving appropriate peer consultation.
- (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 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.

(a) Counselors, social workers, and MFTs shall develop policies, which they will share with clients, concerning whether they use Internet-based search engines and/or social media applications to gather information about clients, whether this is done routinely as part of care, and whether there are particular circumstances (emergencies, safety risk assessments) when licensees may use electronic search engines and/or social media applications to obtain information about clients.

(b) Counselors, social workers, and MFTs who use social media or other electronic technology to search for information about clients shall document these efforts in the client's records.

- (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 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 clients' legally authorized representatives, the nature of confidentiality and the limitation of clients' 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.
- (5) Counselors, social workers, and marriage & family therapists, shall explain the required limitations of confidentiality imposed by a mandating authority when working with clients who have been mandated for counseling services. Licensees shall also explain what type of information and with whom that information is shared prior to the beginning of counseling. The mandated client has the right to refuse

services and the licensee shall, to the best of their ability, explain the consequences possibly imposed by the mandating authority of refusing the counseling services.

(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:

- (1) 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, age, marital status, political belief, religion, veteran status, or mental or physical challenge.
- (2) Counselors and social workers should obtain education about and seek to understand the nature of social diversity with respect to race, ethnicity, national origin, color, sex, sexual orientation, gender identity or expression, age, marital status, political belief, religion, immigration status, and mental or physical disability.

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

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 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 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 of the Administrative Code prior to any court appearance for guidance as to their role in these circumstances.
- (D) Counselors, social workers, and marriage & family therapists shall not engage in a personal virtual (social media driven) relationship with clients. Licensees who engage in social media driven relationships with ex-clients shall use best clinical judgment in determining whether to enter into this new relationship. The new relationship must not be exploitative toward the ex-client.

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 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.~~

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

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.
 - (3) This rule does not apply to treatment reminders or scheduling contacts or other information provided outside of a therapeutic context.

4757-9-06 Sources of continuing professional education.

- (A) Sources of continuing professional education shall be formally organized learning experiences with education as their explicit principal intent and which are oriented toward the enhancement of counselor, social worker, and marriage and family therapy practice. The following are examples of appropriate formats for such learning experiences:
- (1) "Institute" means a formal offering, usually in a series of meetings, for instruction and information in a particular area of counselor, social worker and/or marriage and family practice;
 - (2) "Seminar" means a small group of counselors, social workers, or marriage and family therapists who meet under expert leadership or resource persons. Participants prepare reports on some aspect of a problem, which is discussed and analyzed;
 - (3) "Conference" means sessions of one or more days duration designed to serve a varying number of persons to hear different points of view on a central theme;
 - (4) "Staff development" means an educational program planned by an agency to assist its employees in becoming increasingly knowledgeable and competent in fulfilling role expectations within that agency. Although often used interchangeably with in service education, staff development frequently includes out-of-agency educational activities;
 - (5) "Symposium" means two or more specialists presenting information on a particular subject. A moderator introduces the subject and each speaker then summarizes and presides during a question and answer period;
 - (6) "Workshop" means a program designed to bring together individuals with a common interest and background to solve similar problems and to gain new knowledge, skills, and attitudes;
 - (7) "Plenary session" means an assembly designed for all participants;
 - (8) "Course" means a series of learning experiences with a specific content and offered for credit, non-credit, or audit by a regionally accredited educational institution;
 - (9) "Short-term course" means an intensive sequence of learning activities offered regularly over a short period of time.
 - (10) "Teleconference" means the transmission of video information where there is an on-site moderator to lead a post-conference discussion and question and answer session.
 - (11) "Distance learning" means a formal education process, in which instruction occurs when the students and instructor(s) are not located in the same place. Distance learning adds technology to the learning environment by a variety of means. As this form of education has evolved with technology, it may be referred to as cyber learning, electronic learning, distance learning. For the purposes of agency 4757 of the Administrative Code, the term distance learning refers to all non-traditional methods of presentation except video-conferencing.
 - (12) "Video conferencing" means conducting a conference between two or more participants at different sites using computer networks to transmit audio and video data. For example, a video conferencing system works much like a video telephone. Each location has a video camera, microphone, and speakers with which to interact. As the two or more participants speak to each other, their voices are carried over the

network and delivered to the other's speakers, and whatever images appear in front of the video camera appear on the other participants' monitor. Video conferencing allows two or more locations to sit in a virtual conference room and communicate as if they were sitting right next to each other.

- (B) The board shall grant continuing professional education credit to licensees who author journal articles or books on subjects related to counseling, social work, or marriage and family therapy, and which meet the following requirements:
- (1) Journal articles shall be published in refereed journals.
 - (2) Chapters authored by licensees in books acceptable under this rule shall be treated as journal articles.
 - (3) Reprints or republications of previously published materials either in name or substantive content are not acceptable as continuing professional education.
 - (4) Continuing professional education for publications having joint authorship shall be divided equally among the authors.
 - (5) Licensees wishing to use a journal article or book shall submit a post program approval per paragraph (F) of rule 4757-9-05 of the Administrative Code.
- (C) The board shall grant continuing education credit to individuals who conduct presentations on subjects related to counseling, social work, or marriage and family therapy. Credit shall be granted for first time preparation and presentation of an in-service training workshop, a seminar or a conference presentation which is related to the enhancement of counseling, social work, or marriage and family therapy practice, values, skills, or knowledge. Licensees wishing to use a presentation shall submit a post program approval per paragraph (F) of rule 4757-9-05 of the Administrative Code.
- ~~(D)~~ (D) The board may grant continuing education credit to individuals wishing to explore and develop independent learning opportunities which are related to counseling, social work, or marriage and family therapy and which meet the following requirements:
- ~~(1)~~ (1) All independent options shall be pre-approved by the board. In order to receive approval, individuals shall submit an approval form to the board at least sixty days prior to beginning the study.
 - ~~(2)~~ (2) The approval form shall be accompanied by the actual study materials, a statement of the goals and objectives of the study, an overview of the study methodology, and copies of the evaluation tool that will be used at the completion of the study.
- ~~(E)~~ (D) The board may grant continuing education credit for approved home study programs when the distance learning program's sponsor can demonstrate to the board that:
- (1) The program meets all of the requirements established in rule 4757-9-05 of the Administrative Code for approved programs and providers.
 - (2) The program sponsors shall have adequate security in place to assure that the individual who receives credit for the course is the individual who completed the program.
 - (3) The program sponsor shall include post tests of at least five questions per hour of continuing education for home-study courses.
 - (4) Licensees wishing to use a home study or distance learning program not having board approval for

continuing education hours shall submit a post program approval per paragraph (F) of rule 4757-9-05 of the Administrative Code.

~~(F)~~(E) The board may grant continuing education credit for appropriate college courses that are documented by passing grades of "C-" or above on undergraduate courses and "B-" or above for graduate courses from regionally accredited educational institutions; audited courses require documentation by official or unofficial transcript. ~~a letter from the professor noting the hours attended.~~

- (1) Appropriate college courses are those that are at the level of the license for which CEUs are sought. Graduate level licensees shall generally be approved for graduate level courses directly related to their license type. Bachelor level licensees shall generally be approved for bachelor or graduate level courses directly related to their license type. Associate level registrants shall generally be approved for associate, bachelor or graduate level courses directly related to their license type. College courses taken at a lower level than qualifying degree may be submitted for post program approval per paragraph (C) of rule 4757-9-05 of the Administrative Code; applicants shall delineate how that course work is relevant to their practice.
- (2) Appropriate courses are ones not previously taken unless updated due to passage of five years or more.
- (3) Licensees wishing to use a college course for continuing education hours shall submit a post program approval per paragraph (F) of rule 4757-9-05 of the Administrative Code.

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

All applicants for licensure as a professional counselor shall:

- (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.

4757-13-03 Requirements for licensure as a licensed 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 licensed professional clinical counselor shall meet the following experience and examination requirements as a licensed 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-licensed professional counselor 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 licensed 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) A minimum of two years of supervised practice by the applicants shall be in a clinical setting, which shall have a primary focus on 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 paragraph (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 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 licensed 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 licensed 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 with more than five years clinical experience, 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 this rule.

- (B) An applicant for licensed 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 licensed 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 licensed professional clinical counselor.
- (D) Applicants, who are denied licensure, shall be afforded an opportunity for a hearing pursuant to Chapter 119. of the Revised Code.

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

Each licensed 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 in paragraph (A) of rule 4757-5-02 of the Administrative Code (ethics). A licensed 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 licensed 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 [licensed professional counselors](#) ~~registered clinical residents~~ per rule 4757-17-01 of the ~~Administrative Code~~.

4757-17-01 Counseling supervision.

This rule applies to all licensed professional counselors registered as clinical residents who are working toward licensure as licensed 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 licensed 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 licensed professional clinical counselor, or a license as a licensed 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 licensed professional counselors.
- (2) "Work supervision" is supervision required of licensed 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. Licensed 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 licensed professional clinical counselor or licensed professional counselor providing supervision shall:
 - (a) Have demonstrated competence in the area in which they are supervising;
 - (b) Have training in supervision theory and practice;
 - (c) Have training in legal and ethical issues relevant to counseling;
 - (d) Have training in multicultural counseling competencies as defined by the board;

- (e) Have a board issued supervision designation; and
 - (f) Complete and forward to the board all supervision evaluation forms required by the board within thirty days of receipt of the form from a supervisee.
- (2) Training supervisees may not choose a supervisor who is a family member or who is related to them in any way.
 - (3) Licensed 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 licensed professional clinical counselor with supervision designation is responsible for all diagnoses, change in diagnoses, individualized services plans, and correspondence to any third party outside of the agency.
 - (5) Licensed professional counselors who engage in the diagnosis and treatment of mental and emotional disorders shall do so under the work supervision of a licensed 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 licensed professional clinical counselors shall be under the supervision of a licensed professional clinical counselor with supervision designation.~~ All counselor trainees engaging in training supervision for licensure as licensed professional counselors shall be under the supervision of a licensed professional counselor with supervision designation or a licensed professional clinical counselor with supervision designation except that a licensed professional clinical counselor 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 licensed professional counselors from practicing independently within their scope of practice.
- (D) ~~Registration of training supervision for those seeking licensed 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 licensed 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 licensed professional counselor license of the clinical resident; and~~
 - (b) Clinical residents shall partially complete a "supervision evaluation and verification" form with data elements required from supervisee within thirty days of changing supervisors and provide that form for final completion by their former supervisor to document hours accrued. The supervisor shall complete that form and submit it to the board within thirty days of receipt from the supervisee.

(E) Requirements for applying for a training supervision designation.

- (1) Licensed professional clinical counselors applying for training supervision designation shall meet the following minimum requirements. Licensed professional counselors who hold the supervision designation prior to January 1, 2013 may continue to hold that designation as long as they maintain it in good standing.
 - (a) Document a minimum of twenty-four hours of academic preparation or board approved continuing education coursework in counselor supervision training including training six hours in each area as follows:
 - (i) Assessment, evaluation and remediation which includes initial, formative and summative assessment of supervisee knowledge, skills and self-awareness; components of evaluation e.g. evaluation criteria and expectations, supervisory procedures, methods for monitoring (both direct and indirect observation) supervisee performance, formal and informal feedback

mechanisms, and evaluation processes (both summative and formative), and processes and procedures for remediation of supervisee skills, knowledge, and personal effectiveness and self-awareness;

- (ii) Counselor development which includes models of supervision, learning models, stages of development and transitions in supervisee/supervisor development, knowledge and skills related to supervision intervention options, awareness of individual differences and learning styles of supervisor and supervisee, awareness and acknowledgement of cultural differences and multicultural competencies needed by supervisors, recognition of relational dynamics in the supervisory relationship, and awareness of the developmental process of the supervisory relationship itself;
- (iii) Management and administration which includes organizational processes and procedures for recordkeeping, reporting, monitoring of supervisee's cases, collaboration, research and evaluation; agency or institutional policies and procedures for handling emergencies, case assignment and case management, roles and responsibilities of supervisors and supervisees, and expectations of supervisory process within the institution or agency; institutional processes for managing multiple roles of supervisors, and summative and formative evaluation processes; and
- (iv) Professional responsibilities which includes ethical and legal issues in supervision includes dual relationships, competence, due process in evaluation, informed consent, types of supervisor liability, privileged communication, consultation, etc.; regulatory issues include Ohio laws governing the practice of counseling and counseling supervision, professional standards and credentialing processes in counseling, reimbursement eligibility and procedures, and related institutional or agency procedures.

(b) Each licensed professional clinical counselor shall obtain a minimum of one year and fifteen hundred hours of clinical experience, post licensed professional clinical counselor licensure, which shall include the diagnosis and treatment of mental and emotional disorders.

(c) The fifteen hundred hours shall include at least one supervision of supervision experience. The licensed professional clinical counselor in training shall work with the same supervisor for at least five hours learning the skills to become a supervisor. The licensed 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 licensed professional clinical counselor who has a training supervision designation. All supervision, and supervision of supervision addressed in this rule shall be face-to-face.

(d) Comply with the 2014 American counseling association "ACA" ethical standards pertaining to the supervisory relationship.

(e) Document applicant's familiarity with significant legal, ethical, and clinical issues relevant to the supervisory relationship on a form prescribed by the board.

(2) All licensed professional counselors and licensed professional clinical counselors shall maintain the training supervision designation by obtaining three hours of counselor professional standards committee approved continuing professional education in supervision.

(3) Licensed professional clinical counselors engaged in training supervision shall be called "licensed professional clinical counselor with training supervision designation" 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. Licensed professional counselors engaged in training supervision shall be called "licensed professional counselor with training supervision designation" per paragraph (Q)(8) of rule 4757-3-01 of the Administrative Code. They shall have adequate training, knowledge, and skill to render competent non-clinical supervision and shall not supervise the diagnosis and treatment of mental and emotional disorders.

4757-19-06 Requirements for social work applicants wishing to obtain a temporary social work license.

- (A) Applicants who wish to obtain a temporary license shall submit a properly completed licensure application, as provided by the board. The temporary applications shall accompany the actual licensure application unless actual application is already on file with the board.
- (B) The temporary application shall be accompanied by the required fee per paragraph (D) of rule 4757-1-05 of the Administrative Code.
- (C) The two applications shall be reviewed by a staff member of the board, to determine whether the applicant appears to have the appropriate degrees and/or experience to meet the requirements for the actual license they seek.
- (D) If staff determines that the applicant appears to meet the requirements for the license, for which they are applying, a temporary license will be issued to applicant. This temporary license will allow the applicant to work legally in Ohio during the period which it is in effect.
- (E) The applicant shall have passed the examination for the license which they seek prior to the issuance of the temporary license.
- (F) A temporary license may be issued by the board [for a period not to exceed ninety days](#) to an otherwise qualified applicant for licensure as a social worker who has completed the educational requirements for licensure but is awaiting the actual awarding of the degree. To qualify for the temporary license the applicant shall submit with the application a letter from the academic institution which will [be](#) awarding the qualifying degree indicating:
 - (1) That they are in good standing with the university;
 - (2) That they have met all the academic requirements for the degree, and
 - (3) When the degree will be [/was](#) conferred.

4757-21-03 Scope of practice for an independent social worker.

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

- (A) An independent social worker may perform for a fee, salary or other consideration, counseling, psychosocial interventions, and social psychotherapy without supervision in an agency setting, as a private practitioner, or as an independent contractor.
- (B) The scope of practice for an independent social worker may include those duties as described in the subparagraphs that follow:
- (1) Psychosocial assessment: intervention planning, psychosocial intervention, and social psychotherapy, which includes the diagnosis and treatment of mental and emotional disorders and counseling.
 - (2) Program assessment, planning, and development, program implementation and evaluation.
 - (3) Organizational assessment, planning and development, intervention, accountability, and supervision.
 - (4) Specialized problem-oriented assessment, specialized project or case-oriented planning, specialized intervention, evaluation of consultation activities, ~~provide training supervision for social workers seeking licensure as independent social workers.~~
 - (5) Provide clinical supervision of 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. Provide clinical supervision per paragraph (A)(1) of rule 4757-23-01 of the Administrative Code for social worker trainees practice except the diagnosis and treatment of mental and emotional disorders.
- (C) The scope of practice for an independent social worker with supervision designation may include those duties as described as follows:
- (1) Psychosocial assessment: intervention planning, psychosocial intervention, and social psychotherapy, which includes the diagnosis and treatment of mental and emotional disorders and counseling.
 - (2) Program assessment, planning, and development, program implementation and evaluation.
 - (3) Organizational assessment, planning and development, intervention, accountability, and supervision.
 - (4) Specialized problem-oriented assessment, specialized project or case-oriented planning, specialized intervention, evaluation of consultation activities, provide training supervision for social workers seeking licensure as independent social workers.
 - (5) Provide clinical supervision of 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. Provide training and clinical supervision per paragraphs (A)(1) and (A)(2) of rule 4757-23-01 of the Administrative Code for social worker trainees, which includes the diagnosis and treatment of mental and emotional disorders.

4757-25-01 Education requirements for admission to the examination for marriage and family therapist.

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

- (A) Pertaining to the educational requirements, the board further prescribes that: a "graduate degree in marriage and family therapy" is defined as a degree that meets all of the following criteria:
- (1) The program or concentration shall clearly be identified as marriage and family therapy. Such a program shall specify in pertinent institutional catalogues and brochures its intent to educate and train marriage and family therapists.
 - (2) The marriage and family therapy curriculum shall stand as a recognized entity within the institution and have a marriage and family therapy faculty.
 - (3) The marriage and family therapy coursework completed shall be an organized course of study that includes at least one graduate course in each of these seven areas of marriage and family therapy:
 - (a) Marriage and family studies: Courses in this area should present a fundamental introduction to marriage and family studies. The student should learn to recognize across a wide variety of family structures and a diverse range of issues (e.g. gender, culture, and substance abuse). Topic areas may include but not limited to: family development, subsystems, blended families, gender issues in families, cultural issues in families.
 - (b) Systems theory: Courses in this area should address the historical development, theoretical and empirical foundations, and contemporary conceptual directions of the field of marriage and family therapy.
 - (c) Research: Courses in this area should assist the student in understanding and performing research. Topic areas may include: research methodology, qualitative and quantitative methods, and statistics.
 - (d) Professional ethics: Courses in this area shall include the "American Association for Marriage and Family Therapy" (AAMFT) code of ethics, confidentiality and liabilities of clinical practice and research, professional ethics as a marriage and family therapist, professional socialization, and the role of the professional organization, licensure or certification legislation, independent practice and inter professional cooperation. Religious ethics courses and moral theology courses do not meet this requirement.
 - (e) Human development: Courses in this area should provide knowledge of personality development and its normal and abnormal manifestations. The student should have relevant coursework in human development across the lifespan, which includes special issues that should be integrated with systems concepts. Topic areas may include but are not limited to: human development, psychopathology, personality theory, human sexuality. Test and measurement courses do not meet this requirement.
 - (f) Appraisal of individuals and families: Courses in this area shall include the framework for understanding the individual, couple and family group, psychological and educational testing, and the study of ethnic, cultural and gender factors. Course content shall address from a relational/systemic perspective, psychopharmacology, physical health and illness, traditional psycho diagnostic categories, and the assessment and treatment of major mental and emotional disorders.

- (g) Practicum: Includes a supervised training experience taken during the completion of a degree program consisting of the provision of marriage and family therapy to clients and is acceptable to the board.
 - (i) Applicants, who begin their program after January 2015, shall have a minimum of two semesters or three quarters of qualified supervised clinical practicum and/or qualified internship with five hundred hours of direct contact with individuals, couples, and families and one hundred hours of supervision. Applicants, who begin their program before January 2015, shall have a minimum of two semesters or three quarters of qualified supervised clinical practicum and/or qualified internship with three hundred hours of direct contact with individuals, couples, and families and sixty hours of supervision..
 - (ii) Applicants, who begin their program after January 2015, shall have two hundred fifty hours of the five hundred hours of direct client contact with couples and/or families present. Applicants, who begin their program before January 2015, shall have one hundred fifty hours of the three hundred hours of direct client contact with couples and/or families present.
 - (iii) The clinical practicum and internship experience must be under the supervision of an independently licensed marriage and family therapist with supervision designation, an AAMFT approved supervisor, an AAMFT supervisor candidate, or an independently licensed mental health practitioner who shall have demonstrated competence in the area in which he/she is supervising and have training in legal and ethical issues relevant to marriage and family therapy.
 - (iv) Applicants shall document their practicum and 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, client contact hours, and supervision hours in all areas designated on the form. The form shall be completed and submitted by the student at the time of examination request.
 - (v) Prior to the beginning of the practicum, the student shall have completed two courses in marriage and family therapy.
- (4) In addition to the coursework listed under paragraph (A)(3) of this rule, the marriage and family therapy coursework completed must include four courses in marriage and family therapy. Courses in this area should have a major focus on advanced marital or family systems and systemic therapeutic interventions. This area is intended to provide a substantive understanding of the major theories of systems change and the applied practices evolving from each theoretical orientation. Major theoretical approaches include but are not limited to: strategic, structural, object relations, behavioral, intergenerational, and systemic sex therapy.
- (5) Programs accredited by the "Commission On Accreditation Of Marriage And Family Therapy Education" (COAMFTE) at the time of applicant's degree conferral are recognized as meeting the requirements for a graduate degree in marriage and family therapy.
- (6) Applicants who possess a degree from a program not accredited by the "Commission On Accreditation Of Marriage And Family Therapy Education" (COAMFTE) shall submit a request to this board for approval in meeting the educational requirements for admission to the examination for the marriage and family therapy license. Program approval may be obtained by the applicant submitting to the board written evidence that the degree meets the requirements set forth in paragraphs (A)(1) to (A)(4) of this rule.

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

4757-25-04 Requirements for licensure as an independent marriage and family therapist.

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

- (A) After completion of the required education set forth in paragraph (A) of rule 4757-25-01 of the Administrative Code, the applicant shall meet the following requirements:
- (1) Complete at least two calendar years of supervised training while engaged in the practice of marriage and family therapy.
 - (2) The two years of supervised training must include two hundred hours of face-to-face supervision while completing a minimum of one thousand hours of documented [face-to-face](#) client contact in marriage and family therapy.
 - (3) Of the required two hundred hours of face-to-face supervision, a minimum of one hundred hours shall be individual supervision.
 - (4) Of the required one thousand hours of client contact, a minimum of five hundred hours shall be with couples and/or families present.
 - (5) The training supervision shall be performed by a supervisor whose training and experience meet the standards established in paragraph (C) of rule 4757-29-01 of the Administrative Code.
- (B) Meet all the requirements established in rule 4757-25-03 of the Administrative Code.

4757-25-05 Temporary marriage and family therapist license.

- (A) The temporary license allows the holder to practice as a marriage and family therapist or an independent marriage and family therapist, while awaiting the next board meeting.
- (B) A temporary license may be issued only if it is determined that, the applicant qualifies under division (A) of section 4757.30 of the Revised Code for licensure as a marriage and family therapist.
- (C) Applicants who wish to obtain a temporary license shall submit a properly completed application, as prescribed by the board.
- (D) A temporary license is valid from the date of issuance until the earliest of one of the following:
 - (1) The date the applicant's license is issued under section 4757.30 of the Revised Code;
 - (2) One year after the temporary license has been issued;
 - (3) The date the applicant withdraws from taking the examination;
 - (4) The date the applicant is notified that the applicant failed the examination.
- (E) A temporary license may not be renewed. [A new temporary license shall be issued only in the event of documented substantial hardship as determined by the board.](#)