

NOTICE OF PUBLIC HEARING

THE STATE OF OHIO ~ COUNSELOR, SOCIAL WORKER & MARRIAGE AND FAMILY THERAPIST BOARD, pursuant to CHAPTER 119., OHIO REVISED CODE, hereby gives notice that it will conduct a public hearing for the purpose of considering: new rules 4757-5-13 and 4757-21-01; amended rules 4757-5-01, 4757-5-02, 4757-5-03, 4757-5-04, 4757-5-06, 4757-5-07, 4757-5-08, 4757-5-09, 4757-5-12, 4757-9-03, 4757-15-01, 4757-15-02, 4757-17-01, 4757-19-05, 4757-21-02, 4757-21-03, and 4757-23-01; and rescinded rule 4757-21-01 of the Ohio Administrative Code.

New:

- 4757-5-13 Ethics rule that applies to electronic service delivery specifies how to use electronic mediums ethically.
- 4757-21-01 Scope of practice for social worker assistants only change is formatting for clarity.

Amended:

- 4757-5-01 Five year rule review minor changes for clarity ethics rule
- 4757-5-02 Five year rule review minor changes for clarity ethics rule
- 4757-5-03 Five year rule review minor changes for clarity ethics rule
- 4757-5-04 Five year rule review minor changes for clarity ethics rule
- 4757-5-06 Five year rule review minor changes for clarity ethics rule
- 4757-5-07 Five year rule review minor changes for clarity ethics rule
- 4757-5-08 Five year rule review minor changes for clarity ethics rule
- 4757-5-09 Five year rule review minor changes for clarity ethics rule
- 4757-5-12 Five year rule review minor changes for clarity ethics rule
- 4757-9-03 CE requirement for renewal of a: change for first renewal of a related degree to two social work college courses instead of specified number of hours for quarters and semesters.
- 4757-15-01 Scope of practice for professional counselors only change is formatting for clarity and reference to applicable ethics rule for competency.
- 4757-15-02 Scope of practice for professional counselors only change is formatting for clarity and reference to applicable ethics rule for competency.
- 4757-17-01 Counseling supervision: change to require clinical residents to maintain a log of supervision and rewrote paragraph (F)(1)(e) for clarity on supervision of supervision.
- 4757-19-05 Changes to add purpose of social worker trainee registration and added all general application requirements including those from rule 4757-1-04.
- 4757-21-02 Scope of practice for social worker change in formatting for clarity and reference to applicable ethics rule for competency.
- 4757-21-03 Scope of practice for independent social worker change in formatting for clarity and reference to applicable ethics rule for competency.
- 4757-23-01 Clarify 150 hours of supervision required for LISW application, deleted paragraph on business relationships and spelled out written requests required for supervision hardship requests.

Rescinded:

4757-21-01 Scope of practice for social worker assistants only change is formatting for clarity.

The public hearing on the proposed actions of the Counselor, Social Worker & Marriage and Family Therapist Board is scheduled for Monday, July 13, 2009. The hearing will begin at 2:00 p.m. at the LeVeque Tower, 50 West Broad Street Suite 1075, Columbus, Ohio 43215, and from time to time thereafter as may be required by the Board to hear all relevant testimony, oral or written, by any person affected by the proposed action, his/her attorney, or both.

The full text of the proposed rules will be available on the Board's website, <http://cswmft.ohio.gov>. All interested persons will be given an opportunity to be heard. Those persons who wish to provide oral testimony at the hearing are encouraged to inform the Board prior to the hearing date and may be given preference in the order of their testimony. Persons interested in providing written comments in lieu of oral testimony may direct them to the attention of James R. Rough, Executive Director, Counselor, Social Worker & Marriage and Family Therapist Board, 50 West Broad Street Suite 1075, Columbus, Ohio 43215-5919. These written comments must be received by the Board before the close of the hearing record.

Copies of the proposed Rules will be on file with the Secretary of State, the Legislative Service Commission, and the Joint Committee on Agency Rule Review, at least thirty days prior to the public hearing, and are available at the Counselor, Social Worker & Marriage and Family Therapist Board Offices at the aforementioned address.

COUNSELOR, SOCIAL WORKER & MARRIAGE AND FAMILY THERAPIST BOARD

By: _____
James R. Rough, Executive Director



Electronic Rule Filing

The Honorable Jennifer Brunner
Secretary of State
180 E. Broad St., 15th Floor
Columbus, OH 43215

Mark Flanders, Director
Legislative Service Commission
77 South High St., 9th Floor
Columbus, OH 43215

William L. Hills, Executive Director
Joint Committee on Agency Rule Review
77 South High St., Concourse Level
Columbus, OH 43215

Lisa Patt-McDaniel, Interim Director
Department of Development
77 South High St., 27th Floor
Columbus, OH 43215

The Counselor, Social Worker, and Marriage and Family Therapist Board hereby submits the following rule(s) consistent with RC 119.032. The agency has reviewed the rule(s) pursuant to RC 119.032 and have determined that **no change** is necessary.

Package Number: 51338
File Date and Time: 06/12/2009 09:28 AM
Confirmation Number: aabcf6a5d83a9a66e3a4a42329dc0ac

NO CHANGE

Rule Number	Type	FYR?	JE Date	Eff Date	Next FYR	Tagline
4757-5-05	No change	Y	09/10/2009		06/11/2014	Standards of ethical practice and professional conduct: impaired practice.
4757-5-10	No change	Y	09/10/2009		06/11/2014	Standards of ethical practice and professional conduct: reporting unethical actions.
4757-5-11	No change	Y	09/10/2009		06/11/2014	Standards of ethical practice and professional conduct: change of name and/or address.
4757-7-02	No change	Y	09/10/2009		06/11/2014	Practice with expired license or certificate of registration is prohibited.

NOTICE OF PUBLIC HEARING

THE STATE OF OHIO ~ COUNSELOR, SOCIAL WORKER & MARRIAGE AND FAMILY THERAPIST BOARD, pursuant to CHAPTER 119., OHIO REVISED CODE, hereby gives notice that it will conduct a public hearing for the purpose of considering: new rules 4757-25-03, 4757-25-04 and 4757-25-07; amended rules 4757-1-02, 4757-1-04, 4757-3-01, 4757-3-02, 4757-6-01, 4757-6-02, 4757-7-01, 4757-9-01, 4757-9-05, 4757-9-06, 4757-11-01, 4757-11-02, 4757-25-01, 4757-25-02, 4757-25-05 and 4757-25-06; and rescinded rules 4757-25-03 and 4757-25-04 of the Ohio Administrative Code.

New:

- 4757-25-03 Rewrite of requirements for licensure as a marriage and family therapist for clarity.
- 4757-25-04 Rewrite of requirements for licensure as an independent marriage and family therapist for clarity.
- 4757-25-07 Approval process for marriage and family therapist applications.

Amended:

- 4757-1-02 Notice of board meetings minor changes for clarity.
- 4757-1-04 Clarify requirements for general requirements for applications.
- 4757-3-01 Add definition of electronic service delivery and other minor changes for clarity.
- 4757-3-02 Added abbreviations for temporary licenses.
- 4757-6-01 Minor changes to reports for court review for clarity.
- 4757-6-02 Minor changes to rule on summary suspensions.
- 4757-7-01 Minor changes to rule on renewal requirements.
- 4757-9-01 Minor changes to renewal for MFT licenses.
- 4757-9-05 Changes to continuing education program approval process including definitions for provider status and other changes for clarity of requirements.
- 4757-9-06 Added requirement for home study continuing education programs to include at least five post program questions for each hour of the program offered.
- 4757-11-01 Minor change to remove duplicative paragraph.
- 4757-11-02 Minor changes with revised paragraph's (B) & (D) for rule writing requirements and improve clarity.
- 4757-25-01 Minor changes for clarity
- 4757-25-02 Refines examination requirements to allow approval for the licensure examination for students in the last term of their master's program.
- 4757-25-05 Revised and simplified.
- 4757-25-06 Minor change for clarity.

Rescinded:

- 4757-25-03 Rescinded for rewrite of requirements for licensure as a marriage and family therapist for clarity.
- 4757-25-04 Rescinded for rewrite of requirements for licensure as a marriage and family therapist for clarity.

The public hearing on the proposed actions of the Counselor, Social Worker & Marriage and Family Therapist Board is scheduled for Monday, July 13, 2009. The hearing will begin at 2:00 p.m. at the LeVeque Tower, 50 West Broad Street Suite 1075, Columbus, Ohio 43215, and from time to time thereafter as may be required by the Board to hear all relevant testimony, oral or written, by any person affected by the proposed action, his/her attorney, or both.

The full text of the proposed rules will be available on the Board's website, <http://cswmft.ohio.gov>. All interested persons will be given an opportunity to be heard. Those persons who wish to provide oral testimony at the hearing are encouraged to inform the Board prior to the hearing date and may be given preference in the order of their testimony. Persons interested in providing written comments in lieu of oral testimony may direct them to the attention of James R. Rough, Executive Director, Counselor, Social Worker & Marriage and Family Therapist Board, 50 West Broad Street Suite 1075, Columbus, Ohio 43215-5919. These written comments must be received by the Board before the close of the hearing record.

Copies of the proposed Rules will be on file with the Secretary of State, the Legislative Service Commission, and the Joint Committee on Agency Rule Review, at least thirty days prior to the public hearing, and are available at the Counselor, Social Worker & Marriage and Family Therapist Board Offices at the aforementioned address.

COUNSELOR, SOCIAL WORKER & MARRIAGE AND FAMILY THERAPIST BOARD

By: _____
James R. Rough, Executive Director



**Counselor, Social Worker &
Marriage and
Family Therapist Board**
50 West Broad Street, Suite 1075
Columbus, Ohio 43215-5919
614-728-5161 Fax 614-728-7790
jim.rough@cswb.state.oh.us

Memo

To: Board Members & Staff
From: James Rough
Date: May 12, 2009
Re: Five-Year Rule Review

The following rules are up for five-year rule review per Ohio Revised Code 119. Our options are to file them as no change or make needed changes. I will mail proposed staff changes to rules as part of the September board meeting's packet. I don't anticipate many serious changes as we have made changes to many of these rules over the last three years. The majority of proposed changes are for readability and rule formatting. MFTPSC – Margaret Ann and I are proposing deleting the existing rules 4757-25-03 & 04 and replacing with new language. Also included is the new rule 4757-5-13 Electronic Service Delivery. See addition to rule 4757-6-01 opening paragraph as requested by CPSC.

OHIO ADMINISTRATIVE CODE CHAPTER 4757		Review Date	Professional Standards Committee
4757-1-02	Notice of board meetings	4/10/2009	All
4757-1-04	Applications of first licensure	4/10/2009	All
4757-1-05	License fees	4/10/2009	All
4757-3-01	Definitions	4/10/2009	All
4757-3-02	Abbreviations and titles	4/10/2009	All
4757-5-01	Code of ethical practice and professional conduct – Includes All Ethics Rules	4/10/2009	All
4757-6-01	Reports prepared for court review	4/10/2009	All
4757-6-02	Summary suspension	4/10/2009	All
4757-7-01	Renewal of license or certificate of registration	4/10/2009	All
4757-7-02	Practice with expired license or certificate of registration is prohibited	4/10/2009	All
4757-9-01	CE requirements for renewal of a MFT or IMFT license	4/10/2009	MFTPSC
4757-9-05	Approval of CPE programs required for renewal of licenses issued by the board	4/10/2009	All
4757-9-06	Sources of continuing professional education	4/10/2009	All
4757-11-01	Denial and disciplinary action for licenses or certificates of registration	4/10/2009	All
4757-11-02	Impaired practitioner rules	4/10/2009	All
4757-25-01	Education requirements for admission to the examination for MFT	4/10/2009	MFTPSC
4757-25-02	Marriage and family therapist examination policy	4/10/2009	MFTPSC
4757-25-03	Requirements for licensure as a marriage and family therapist	4/10/2009	MFTPSC
4757-25-04	Requirements for licensure as an independent marriage and family therapist	4/10/2009	MFTPSC
4757-25-05	Temporary marriage and family therapist license	4/10/2009	MFTPSC
4757-25-06	Endorsement of a marriage and family therapist license	4/10/2009	MFTPSC
4757-25-07	Approval of applications for marriage and family therapists	New	MFTPSC

4757-1-02 Notice of board meetings.

(A) Any person may ascertain the time and place of all regularly scheduled meetings of the counselor, social worker, and marriage and family therapist board, and its professional standards committees and the time, place, and purpose of all special meetings of the board or its professional standards committees by any one of the following methods:

- (1) Calling the board office by telephone during normal business hours.
- (2) Contacting the board office in person during normal business hours.
- (3) Any person or organization ~~that who~~ makes a written request for such notification and provides the board with a self-addressed business-size envelope.
- (4) Email or other electronic means.

(B) Any person or organization who makes written request for routine notification of all regularly scheduled and special meetings of the counselor, social worker, and marriage and family therapist board and its professional standards committees and who provides the board with self-addressed business sized envelopes, ~~shall will~~ receive notice of all such board meetings for a twelve-month period. After twelve months, such notification ~~shall will~~ cease, unless ~~it~~ the request is renewed in the manner set forth in this paragraph.

- (1) Notices ~~shall will~~ be mailed at least seven calendar days prior to any regularly scheduled meeting, and at least four calendar days prior to any special meeting, unless the meeting is an emergency meeting. Notices of special meetings ~~shall will~~ include the type of business to be discussed.
- (2) ~~It is the responsibility of the~~ The person requesting notification is responsible to keep the board informed in writing of changes in his/her current mailing address.
- (3) The obligation of the board under paragraph (B) of this rule to each person or organization fully complying with said requirements shall be deemed fully discharged with the mailing of notification to the most current mailing address and name on file with the board for this purpose, as of seven days prior to the particular regularly scheduled meeting.

(C) A representative of a news media organization, or of the business office of a professional organization of counselors, social workers, or marriage and family therapists may receive notification of board meetings by making a written request to the board office. The board ~~shall will~~ compile a mailing list and ~~shall will~~ mail notification of all regularly scheduled and special meetings to these representatives at their business addresses, in accordance with the schedule in paragraph (B)(1) of this rule.

- (1) Not more than one representative of a radio or television station, newspaper, or other publication, or of a professional organization of counselors, social workers, or marriage and family therapists may receive such notification.
- (2) ~~It is the responsibility of the~~ The news media organization, or professional organization of counselors, social workers, or marriage and family therapists is responsible to notify the board in writing of changes in the name or mailing address of the recipient of such notification.
- (3) Notification under paragraph (C) of this rule ~~shall will~~ remain in effect for one year from the date of the written request, after which time the name of the organization ~~shall will~~ be removed from the mailing list unless the request is renewed in writing.
- (4) The obligation of the board under paragraph (C) of this rule to each organization ~~fully complying with said requirements~~ shall be deemed fully discharged with the mailing of notification to the most current address and name on file with the board for this purpose, ~~as of seven days prior to the particular regularly scheduled meeting, or four days prior to the particular special meeting.~~

(D) A representative of a news media organization may obtain telephone notification of emergency board meetings by making a written request to the board, including the name of the individual to be contacted, his/her mailing address, and a maximum of two telephone numbers where he/she can be reached. The board ~~shall will~~ maintain a list of all representatives of the news media who request telephone notice of emergency meetings.

- (1) In the event of an emergency meeting, the board shall immediately notify by telephone all representatives on the list of such meeting.
- (2) Such telephone notice shall be complete if a message has been left for the media representative or if, after a reasonable effort, the board has been unable to provide such telephone notice.

(3) The media representative's name shall remain on the telephone notification list for one year from the date of the written request, after which time ~~it~~ the name shall ~~will~~ be removed unless the request is renewed in writing.

(4) ~~It shall be the responsibility of the~~ The media representative or the organization is responsible to inform the board of any changes in telephone numbers or in the name of the person to be notified.

(E) The failure of any individual, organization, or organization representative to comply with the above requirements shall relieve the board of any obligation to provide advance notice of any kind of ~~any~~ public meeting to that individual, or organization representative.

HISTORY: Eff 6-11-85 (Emer.); 9-19-85 (Emer.); 12-19-85; 7-3-97; 9-20-02; 4-10-04

Rule promulgated under: RC 119.03

Rule authorized by: RC 4757.10

Rule amplifies: RC 4757.05

RC 119.032 review dates: 12/8/03, 4/10/09

4757-1-04 Applications of first licensure.

(A) All applicants for first licensure as a professional counselor, social worker, professional clinical counselor, independent social worker, marriage and family therapist, independent marriage and family therapist, or for registration of title as a social work assistant, counselor trainee or social worker trainee, shall file with the executive director of the board an online application; or a written application, signed and duly notarized, on a form prescribed by the board. Any person who knowingly makes a false statement on a written application or electronic application may be found guilty of falsification under section 2921.13 of the Revised Code, a misdemeanor of the first degree. Applications shall ~~will~~ be maintained for two years from the date of receipt by the board. Applications which remain incomplete after two years shall be considered abandoned. The license application and fee shall ~~will~~ be forfeit and individuals seeking licensure shall ~~will~~ be required to re-apply.

(B) The appropriate non-refundable fee, shall accompany the application for licensure or registration.

(C) All applicants for licensure or registration shall provide:

(1) Grade transcripts showing all coursework and/or academic degrees necessary to meet the education requirements for the license or registration for which the applicant is applying.

(a) Such transcripts shall bear the official seal of the college or university and the signature of the registrar. Transcripts shall be sent directly to the board office by the college or university. The applicant shall bear sole responsibility for transcripts sent directly from the college or university to the board office.

(b) If an applicant's transcript does not clearly indicate that he/she meets the education requirements for the license for which they are applying, the applicant shall provide additional information about their coursework in a manner prescribed by the board.

(2) Notarized statements, on a form prescribed by the board, to document all professional employment experience required by any rule under this chapter, or for licensure or registration by the board. Notarized statements, if required, shall be completed by the person(s) who supervised the required professional employment experience, or who are judged by the board to be in a position to make a professional judgment about the nature of the applicant's duties and the quality of their work, and who meet the criteria established for such respondents by the board in any rules under this chapter.

(D) Applicants for any license or certificate of registration issued by the board shall be of good moral character. The board may, in its discretion, deny any application for licensure or certification if the board finds that the applicant was convicted of, pled ~~plead~~ guilty to, pled ~~plead~~ no contest to, a felony or misdemeanor involving moral turpitude or for acts committed which would constitute a felony or misdemeanor involving moral turpitude if committed in Ohio. The board shall consider the number and timing of any convictions and the relationship those convictions may have to the practice for which the applicant has made application for licensure or certification. The board shall consider an applicant's fitness to practice a part of the good moral character requirements. The board at its discretion may request any of the following to help determine good moral character and fitness to practice: a criminal records check, a criminal background check or a psychological evaluation.

(E) All applicants for an initial license or registration shall submit a request to the bureau of criminal identification and investigation for a criminal records check of the applicant per sections 4776.02 and 4776.03 of the Revised Code and shall include a federal bureau of identification criminal records check request. This requirement applies to all initial applications for professional counselor, social worker, professional clinical counselor, independent social worker, marriage and family therapist, independent marriage and family therapist, or for registration of title as a social work assistant, counselor trainee or social worker trainee. The applications for criminal records check shall comply with section 109.572 of the Revised Code. The criminal records check shall be received at least one year prior to licensure or a new criminal records check shall be required. Section 109.572 of the Revised Code requires that all fingerprint reports be sent directly to the board office from the bureau of criminal identification and investigation. Any fingerprint results mailed to or from some other source shall not be accepted.

- (1) Applicants in the state of Ohio shall go to a county sheriff's office or other agency approved by Ohio's attorney general to request an electronic criminal records check and submit fingerprints to the bureau of criminal identification and investigation. A link to electronic fingerprint sites is available on the board's web page under "forms".
 - (a) Each applicant shall pay the fee to the agency scanning their fingerprints and provide the bureau of criminal identification and investigation with the applicant's name and address and with the board's name and address as the results addressee. The agency code fingerprint card shall be "1AB002".
 - (b) An applicant who has poor fingerprint quality on the electronic scanning shall be notified by the board to request a waiver from electronic scanning and mailed the required forms for submission of ink rolled fingerprints. The bureau of criminal identification and investigation has suggested using cornhuskers lotion when having difficulties getting a good electronic scan.
 - (c) The applicant shall ask the superintendent of the bureau of criminal identification and investigation in the criminal records check request to obtain from the federal bureau of investigation any information it has pertaining to the applicant.
- (2) Applicants outside the state of Ohio shall go to a police agency in their state and complete the blank criminal records check cards provided to them by the board and submit fingerprints by mailing the completed forms directly to the bureau of criminal identification and investigation.
 - (a) Each applicant shall pay the fee to the agency completing the fingerprinting and to the bureau of criminal identification and investigation for both the Ohio and federal bureau of investigation records checks. Applicants shall follow the directions provided with the fingerprint cards. The applicant shall ask the superintendent of the bureau of criminal identification and investigation in the request to obtain from the federal bureau of investigation any information it has pertaining to the applicant. Part of that application requires a waiver from electronic submission form citing out-of-state as the reason.
 - (b) An applicant requesting a criminal records check shall provide the bureau of criminal identification and investigation with the applicant's name and address and with the board's name and address as the results addressee. The agency code on the fingerprint card shall be "1AB002".
- (3) The board shall not issue a license or registration until receipt of the criminal records check and any follow-up actions are completed.
- (4) The results of any criminal records check conducted pursuant to a request made under this chapter and any report containing those results, including any information the federal bureau of investigation provides, are not public records for purposes of section 149.43 of the Revised Code and shall not be made available to any person or for any purpose other than as follows:
 - (a) The superintendent of the bureau of criminal identification and investigation shall make the results available to the board for use in determining, under chapter 4757 of the Revised Code, whether the applicant who is the subject of the criminal records check should be granted a license under that chapter.
 - (b) The board shall make the results available to the applicant who is the subject of the criminal records check or to the applicant's representative upon their request.

Effective: ???

R.C. 119.032 review dates: 04/10/2009

Promulgated Under: 119.03
Statutory Authority: 4757.10
Rule Amplifies: 4757.10, 4757.16
Prior Effective Dates: Eff 6-11-85 (Emer.); 9-19-85 (Emer.); 12-19-85; 7-3-97; 9-20-02; 4-10-04; 9-20-07

4757-1-05 License fees.

License fees shall be established by the board in amounts not to exceed the maximum allowable under section 4757.31 of the Revised Code. Fees are subject to change by action of the board, the controlling board, and/or the general assembly.

(A) Fees shall be paid by credit card, certified check or money order made payable to "Treasurer, State of Ohio."

(B) Fees shall be submitted to the board office at the time of the initial application. Renewal fees shall be the same as initial licensure or registration fees.

(C) Fees are not refundable.

(D) Fees for a two-year license or registration of title are as follows:

- (1) For professional clinical counselor the fee is seventy-five dollars;
- (2) For professional counselor the fee is sixty-dollars;
- (3) For independent social worker the fee is seventy-five dollars;
- (4) For social worker the fee is sixty dollars;
- (5) For social worker assistant the fee is forty dollars.
- (6) For social work temporary license the fee is twenty dollars.
- (7) For independent marriage and family therapist the fee is seventy-five dollars;
- (8) For marriage and family therapist the fee is sixty dollars;
- (9) For marriage and family therapist temporary license the fee is twenty dollars.

Effective: 01/01/2006

R.C. 119.032 review dates: 04/10/2009

Promulgated Under: 119.03

Statutory Authority: 4757.10

Rule Amplifies: 4757.31

Prior Effective Dates: 6-11-85 (Emer.); 9-19-85 (Emer.); 12-19-85; 7-3-97; 9-20-02; 4-10-04

4757-3-01 Definitions.

The following meanings ~~shall will~~ 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 ~~are~~ set forth for each under 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 ~~are~~ set forth for each under 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. It does not include settings in which social work, counseling, and/or marriage and family therapy is practiced ~~engaged in~~ as a private practitioner, as a member of a partnership, or as a member of a group practice.

(D) "Applicant" means an individual who has:

- (1) Filed with the executive director of the board a completed application for licensure as a professional clinical counselor, 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, counselor trainee, clinical resident or social worker trainee on forms prescribed by the board; and/or

(2) Filed with the executive director of the board a completed application for upgrade of their licensure as a professional clinical counselor, professional counselor or an independent social worker to include a supervision designation; and

~~(2)~~(3) Signed the application form and had it notarized or submitted via the online application process; and,

~~(3)~~(4) Paid the appropriate fee.

(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~~committee.

(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 ~~is~~ 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; that 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.

(M) "Master's degree or Ph.D. degree in social work" means a degree granted from programs accredited by the "Council on Social Work Education."

(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. 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 4757 of the Administrative Code means 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) "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) "Social services" ~~mean~~ 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.

(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) "Professional Counselor" means a counselor ~~who has been licensed~~ by the board to ~~engage in the practice of~~ professional counseling as defined in division (A) of section 4757.01 of the Revised Code.
- (2) "Professional Clinical Counselor" means a counselor licensed by the board to ~~engage in the practice of~~ professional counseling and ~~to engage in 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 ~~engage in~~ 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 ~~engage in~~ 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 ~~engage in~~ 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 ~~engage in~~ marriage and family therapy as defined in division (G) of section 4757.01 of the Revised Code.
- (8) "Supervising Professional Counselor" means a counselor who has been licensed by the board to ~~engage in the practice of~~ professional counseling as defined in division (A) of section 4757.01 of the Revised Code and been awarded supervisory designation per paragraph (F) of rule 4757-17-01 of the Administrative Code.
- (9) "Supervising Professional Clinical Counselor" means a counselor licensed by the board to ~~engage in the practice of~~ professional counseling and ~~to engage in the~~ provide 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 supervisory designation per paragraph (F) of rule 4757-17-01 of the Administrative Code.
- (10) "Supervising Independent Social Worker" means a social worker licensed by the board to practice ~~engage in~~ social work as defined in division (C) of section 4757.01 of the Revised Code and been awarded supervisory designation per paragraph (E) of rule 4757-23-01 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 professional counselor engaged in training supervision while seeking licensure as a professional clinical counselor. The title to be used for this designation shall ~~will~~ be "professional counselor/clinical resident". A person may use this title until they have completed the three thousand hours required for the professional clinical counselor license.

(T) "Counselor trainee" means an individual who is seeking licensure as a professional counselor and ~~-~~ has filed a training agreement with the board per paragraph (E) of rule 4757-17-01 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, ~~or 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" is an individual who is a graduate student seeking licensure as a social worker ~~or an independent social worker~~ [and](#) who is currently enrolled in a practicum, internship or fieldwork course in a social work education program accredited by the "Council on Social Work Education" (CSWE) [and has filed a training agreement with the board per rule 4757-19-05 of the Administrative Code](#).

(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" \(electronic therapy, cyber therapy, e-therapy, etc.\) for counseling, social work or marriage and family therapy means any form of services offered or rendered primarily by electronic or technology-assisted approaches when the counselor, social worker or marriage and family therapist and the client are not located in the same place.](#)

Effective: ????

R.C. 119.032 review dates: 04/10/2009

Promulgated Under: 119.03

Statutory Authority: 4757.10

Rule Amplifies: 4757.01, 4757.10

Prior Effective Dates: 6-11-85 (Emer.); 9-19-85 (Emer.); 12-19-85; 7-3-97; 7-10-00; 9-20-02; 4-10-04; 1-1-06; 11-4-06; 11-8-07

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)(7), (S), (T) and (AA) of rule 4757-3-01 of the Administrative Code:

- (1) "L.P.C.C." or "P.C.C." means a "Professional Clinical Counselor";
- (2) "L.P.C.C.-S." or "P.C.C.-S" means a "Supervising Professional Clinical Counselor";
- (3) "L.I.S.W." or "I.S.W." means an "Independent Social Worker";
- (4) "L.I.S.W.-S." means a "Supervising Independent Social Worker";
- (5) "L.P.C." or "P.C." means a "Professional Counselor";
- (6) "L.P.C.-S." or "P.C.-S." means a "Supervising Professional Counselor";
- (7) "L.S.W." or "S.W." means a "Social Worker";
- (8) "S.W.A." means a "Registered Social Work Assistant";
- (9) ~~"R.C.T."~~ means a "Registered Counselor Trainee";
- (10) "C.R." means a "Registered Clinical Resident";
- (11) "I.M.F.T." means an "Independent Marriage and Family Therapist";
- (12) "M.F.T." means "Marriage and Family Therapist";
- (13) "S.W.T." means a registered "Social Worker Trainee".

(B) Licensees shall indicate after their name on official documents the appropriate abbreviations of the current [active](#) license, or licenses, ~~that they have been~~ 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.

Effective: 11/08/2007

R.C. 119.032 review dates: 04/10/2009

Promulgated Under: 119.03

Statutory Authority: 4757.10

Rule Amplifies: 4757.01, 4757.10

Prior Effective Dates: 12-19-85; 7-3-97; 9-20-02; 4-10-04; 11-4-06

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

- (A) The code of ethical practice and professional conduct constitutes the standards by which the ~~expected~~ [\(expected?\)](#) professional conduct of counselors, social workers, and marriage and family therapists shall be measured. Each subject area is in a separate rule within Chapter 4757-5 of the Administrative Code.
- (B) The rules of standards of ethical practice and conduct shall apply to the conduct of all counselor, social worker, and marriage and family therapist licensees and registrants.
- (C) A violation of these rules of standards of ethical practice and professional conduct constitutes unprofessional conduct and is sufficient reason for a reprimand, suspension, revocation, other disciplinary action, or for restrictions ~~to be~~ placed upon a license or for the denial of the initial license or renewal, or reinstatement of a license.
- (D) The board subscribes to codes of ethics and practice standards for counselors, social workers, and marriage and family therapists promulgated by the "American Counseling Association" and the "National Association of Social Workers" and the "American Association for Marriage and Family Therapy". These association standards shall be used as aids in resolving ambiguities, which may arise in the interpretation of the rules of professional ethics and conduct, except that the board's rules of standards of ethical practice and professional conduct shall prevail whenever any conflict exists between these rules and the professional association standards.

Replaces: 4757-5-01

Effective: 11/08/2007

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

Promulgated Under: 119.03

Statutory Authority: 4757.11

Rule Amplifies: 4757.11

Prior Effective Dates: 9-19-85 (Emer.); 12-19-85; 5-22-86; 6-11-95 (Emer.); 7-3-97; 8-2-01; 9-20-02; 4-10-04; 1-1-06

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

- (A) Responsibility to clients/consumers of services as to competency:
- (1) Licensees and registrants shall be able to present reliable and substantial evidence of competency in the areas in which they practice. Licensees and registrants shall not misrepresent directly, indirectly or by implication their professional qualifications such as education, specialized training, experience, or area(s) of competence. Licensees or registrants shall not use a doctorate designation in their professional capacity unless it is related to the field of mental health and is from a recognized accredited educational institution.
 - (2) Licensees and registrants shall practice only within the competency areas for which they are qualified by education and training. Licensees and registrants shall maintain appropriate standards of care based on their individual professional license. Standards of care shall be defined as what an ordinary, reasonable professional with similar training would have done in a similar circumstance.

- (3) While developing new skills in specialty areas, a counselor, social worker, or marriage and family therapist shall take steps to ensure the competence of their work and to protect the clients from possible harm. A counselor, social worker, or marriage and family therapist shall develop skills in specialty areas only with ~~after~~ appropriate education, training, and while receiving approved supervision.
- (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.

(Licensees do not diagnose, treat, or advise on problems outside the recognized boundaries of their competencies. Appropriate and timely referrals shall be made when the client's needs exceed the licensee's competence level.) Place in paragraph (4)?

- (5) Counselors, ~~and~~ 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. Counselors, ~~and~~ social workers and marriage and family therapists, who do not, shall define the techniques/procedures as "unproven" or "developing" and explain the potential risks and ethical considerations of using such techniques/procedures and take steps to protect clients from possible harm.
- (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 ~~time frame~~ 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 ~~will~~ obtain consent from the parent, guardian, or court appointed representative. Best professional practice dictates that a counselor, social worker, or marriage and family therapist shall adhere to the court documents. If a counselor, social worker, or marriage and family therapist does not understand the court document, they shall contact the court for clarification before proceeding with treatment.
 - (4) In situations when clients are receiving services involuntarily, counselors, social workers, and marriage and family therapists shall provide information about the nature and extent of the services and about the client's right to refuse services and the consequences of that refusal.
 - (5) Counselors, social workers, and marriage and family therapists, who provide services via electronic means, shall inform the clients and recipients of the limitations and risks associated with such services.
 - (6) When a counselor, social worker, or marriage and family therapist provides services to two or more clients who have a relationship with each other and who are aware of each other's participation in treatment (for example couples, family members) a counselor, social worker, or marriage and family therapist shall clarify with all parties the nature of the licensee's professional obligations to the various clients ~~who are~~ 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~~ client or legal guardian shall ~~ask the client or legal guardian~~ be asked 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~~ 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~~ Counselors, social workers, or marriage and family therapists shall consider cultural implications of informed consent procedures and, where possible, ~~counselors~~ 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~~ is qualified 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' client's~~ 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~~ can not guarantee that all participants ~~shall~~ will 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~~ others parties through ~~when using~~ the use of computers, electronic mail, facsimile machines, telephones and telephone answering machines, and other electronic or computer technology.

(E) Responsibility to clients/consumers of services as to termination:

(1) Counselors, social workers, and marriage and family therapists shall terminate services only after giving careful consideration to factors affecting the relationship and making effort to minimize possible adverse effects. If an interruption or termination of services is anticipated, reasonable notification and appropriate referral for continued services shall be provided to the client/consumer of services.

(2) Counselors, social workers, and marriage and family therapists employed by an agency or practice, may not solicit or refer a current client of the agency or practice, to the licensee's private practice. Licensees and registrants when leaving the employment of an agency or practice may offer referrals to the client. The referral shall include multiple options for the client to choose from, and the agency where the client is currently being seen shall be included as an option, the licensee's private practice may be one of the multiple options.

(3) In the event that a licensee or registrant is terminated for cause from a position as a volunteer or paid licensee, it is not the responsibility of the licensee or registrant to provide continuation of services or appropriate referrals. Licensees who are terminated for cause shall not contact their ex-clients.

(F) Responsibility to clients/consumers of services as to sexual harassment: Counselors, social workers, and marriage and family therapists shall not sexually harass clients/consumers of services family members of clients, ex-clients or other persons encountered in professional settings. Licensees shall not sexually harass supervisees, students, or colleagues. Sexual harassment includes sexual advances, sexual solicitation, requests for sexual favors, and other verbal, non-verbal or physical conduct of a sexual nature. A client of the agency is considered a client of each counselor, social worker, or marriage and family therapist employed or contracted by the agency for purposes of ethics under the sexual harassment section of this chapter. The duty of the licensee is based on that particular licensee's knowledge of a client's identity prior to starting a relationship.

(G) Responsibility to clients/consumers of services as to discrimination: Counselors, social workers, and marriage and family therapists shall not practice, condone, facilitate or collaborate with any form of discrimination on the basis of race, ethnicity, national origin, color, sex, sexual orientation, age, marital status, political belief, veteran status, or mental or physical challenge.

(H) Responsibility to clients/consumers of services as to conduct with clients and other individuals:

(1) Counselors, social workers, and marriage and family therapists shall not physically or verbally abuse or threaten clients, family members of clients, ex-clients or other persons encountered in professional settings. Licensees shall be aware that any physical touching between the professional and the client is subject to review for appropriate professional boundaries. The professional ~~shall~~ will 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.

Replaces: 4757-5-01

Effective: 11/08/2007

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

Promulgated Under: 119.03

Statutory Authority: 4757.11

Rule Amplifies: 4757.11

Prior Effective Dates: 9-19-85 (Emer.); 12-19-85; 5-22-86; 6-11-95 (Emer.); 7-3-97; 8-2-01; 9-20-02; 4-10-04; 1-1-06

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

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

(1) When a multiple relationship is first recognized or cannot be avoided, counselors, social workers, and marriage and family therapists shall take the following appropriate professional precautions:

(a) All potential multiple relationship and/or conflicts of interest shall be discussed with the client as soon as possible after being first recognized and shall only continue 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 including bartering;
 - (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 ~~will~~ 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.

Replaces: 4757-5-01

Effective: 11/08/2007

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

Promulgated Under: 119.03

Statutory Authority: 4757.11

Rule Amplifies: 4757.11

Prior Effective Dates: 9-19-85 (Emer.); 12-19-85; 5-22-86; 6-11-95 (Emer.); 7-3-97; 8-2-01; 9-20-02; 4-10-04; 1-1-06

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, ~~it is the counselor, social worker, or marriage and family therapist not his or her clients who~~ assumes the full burden of demonstrating that the client or former client has not been exploited, coerced, or manipulated, intentionally or unintentionally. The licensee ~~and~~ shall document how this is so in the client's record.

Replaces: 4757-5-01

Effective: 11/08/2007

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

Promulgated Under: 119.03

Statutory Authority: 4757.11

Rule Amplifies: 4757.11

Prior Effective Dates: 9-19-85 (Emer.); 12-19-85; 5-22-86; 6-11-95 (Emer.); 7-3-97; 8-2-01; 9-20-02; 4-10-04; 1-1-06

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

In impaired practice situations: counselors, social workers and marriage and family therapists shall not undertake or continue professional relationships with a client, supervisee, or student when the objectivity or competency of the counselor, social worker, or marriage and family therapist is or could reasonably be expected to be, impaired due to mental, emotional, physiological, pharmacological, or substance abuse conditions. If such a condition develops after a professional relationship has been initiated, the counselor, social worker, or marriage and family therapist shall terminate the professional relationship in an appropriate manner, shall notify the client of termination in writing, and shall assist the client in obtaining services from another professional.

Replaces: 4757-5-01

Effective: 11/08/2007

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

Promulgated Under: 119.03

Statutory Authority: 4757.11

Rule Amplifies: 4757.11

Prior Effective Dates: 9-19-85 (Emer.); 12-19-85; 5-22-86; 6-11-95 (Emer.); 7-3-97; 8-2-01; 9-20-02; 4-10-04; 1-1-06

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

(A) General use of assessment and testing instruments:

(1) Appraisal techniques: the primary purpose of educational and psychological assessment is to provide measures that are objective and interpretable in either comparative or absolute terms. Counselors, social workers, and marriage and family therapists shall interpret the statements in this rule as applying to the whole range of appraisal techniques, including test and non-test data.

(2) Client welfare: counselors, social workers, and marriage and family therapists shall promote the welfare and best interests of the client in the development, publication, and utilization of educational and psychological assessment results and interpretations and take reasonable steps to prevent others from misusing the information these techniques provide. They shall respect the [client's](#) ~~clients~~ rights to know the results, of the interpretations made, and the bases for their conclusions and recommendations.

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

(1) Limits of competence: Counselors, social workers, and marriage and family therapists shall recognize the limits of their competence and perform only those testing and assessment services for which they have [training](#) ~~been trained~~. They shall be familiar with reliability, validity, related standardization, error of measurement, and proper application of any technique utilized. Counselors, social workers, and marriage and family therapists using computer-based test interpretations shall be trained in the construct being measured and the specific instrument being used prior to using this type of computer application. Counselors, social workers, and marriage and family therapists shall take reasonable measures to ensure the proper use of psychological assessment techniques by persons under their supervision.

(2) Appropriate use: Counselors, social workers, and marriage and family therapists are responsible for the appropriate selection, application, scoring, interpretation, and use of assessment instruments; ~~whether they score and interpret such tests themselves or use computerized or other services.~~

(3) Decisions based on results: Counselors, social workers, and marriage and family therapists responsible for decisions involving individuals or policies that are based on assessment results shall have a thorough understanding of educational and psychological measurement, including validation criteria, test research, and guidelines for test development and use.

(4) Accurate information: Counselors, social workers, and marriage and family therapists shall provide accurate information and shall not make false claims when making statements about assessment instruments or techniques. Counselors, social workers, and marriage and family therapists shall seek to identify and correct client misconceptions about assessment instruments or techniques and about the meaning of scores, charts, or graphs given to them as assessment product. Special efforts shall be made to avoid unwarranted connotations of such terms as "IQ" and grade equivalent scores.

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

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

(2) Recipients of results: The examinee's welfare, explicit understanding, and prior agreement shall determine the recipients of test results. Counselors, social workers, and marriage and family therapists shall include accurate and appropriate interpretations with any release of individual or group test results.

(D) Release of information to competent professionals of assessment and testing instrument ~~results~~ [results](#):

(1) Misuse of results: Counselors, social workers, and marriage and family therapists shall not misuse assessment results, including test results; and interpretations, and take reasonable steps to prevent [the](#) ~~this~~ misuse of such by others.

(2) Release of raw data: Counselors, social workers, and marriage and family therapists shall ordinarily release data (e.g. protocols, counseling or interview notes, or questionnaires) in which the client is identified only with the consent of the client or the client's legal representative. Such data shall usually be released only to persons recognized by counselors, social workers, and marriage and family therapists as competent to interpret the data.

(E) Proper diagnosis of mental disorders with the use of assessment and testing instruments:

(1) Proper diagnosis: Counselors and social workers shall take special care to provide accurate diagnosis of mental disorders. Assessment techniques (including personal interview) used to determine client care (e.g., locus of treatment, type of treatment or recommended follow-up) shall be carefully selected and appropriately used.

(2) Cultural sensitivity: Counselors and social workers shall recognize that culture affects the manner in which client's problems are defined. Clients' socioeconomic and cultural experience shall be considered when diagnosing mental disorders.

(F) Test selection in the use and interpretation of assessment and testing instruments:

(1) Appropriateness of instruments: Counselors, social workers, and marriage and family therapists shall carefully consider the validity, reliability, psychometric limitations and appropriateness of instruments when selecting tests for use in a given situation or with a particular client.

(2) Culturally diverse populations: Counselors, social workers, and marriage and family therapists recognize that the psychometric characteristics of a test (e.g., reliability, validity) are a function of the cultural composition of the population in which they were evaluated, validated, or normed. Licensees shall exercise due diligence in selecting tests to be used within a culturally diverse population in order to minimize the risk of inappropriate interpretation of test scores.

(G) Conditions of test administration when using assessment and testing instruments:

(1) Administration conditions: Counselors, social workers, and marriage and family therapists shall administer tests under the same conditions that were established in their standardization. When tests are not administered under standard conditions or when unusual behavior or irregularities occur during the testing session, those conditions shall be noted in interpretation, and the results may be designated as invalid or of questionable validity.

(2) Computer administration: Counselors, social workers, and marriage and family therapists shall be responsible for ensuring that assessment administration programs function properly to provide clients with accurate results when a computer or other electronic methods are used for test administration.

(3) Unsupervised test-taking: Counselors, social workers, and marriage and family therapists shall not permit unsupervised or inadequately supervised use of tests or assessments unless the tests or assessments are designed, intended, and validated for self administration and/or scoring.

(4) Disclosure of favorable conditions: prior to test administration, conditions that produce most favorable test results shall be made known to the examinee.

(H) Diversity when using assessment and testing instruments: Counselors, social workers, and marriage and family therapists shall be cautious in using assessment techniques, making evaluations, and interpreting the performance of populations not represented in the norm group on which an instrument was standardized. They shall recognize the effects of age, color, culture, disability, ethnic group, gender, race, religion, sexual orientation and socioeconomic status on test administration and interpretation and place test interpretation results in proper perspective with other relevant factors.

(I) Test scoring and interpretation when using assessment and testing instruments:

(1) Reporting reservations: In reporting assessment results, counselors, social workers, and marriage and family therapists, shall indicate any reservations that exist regarding validity or reliability because of the circumstances of the assessment or the inappropriateness of the norms for the person tested.

(2) Research instruments: counselors, social workers, and marriage and family therapists shall exercise caution when interpreting the results of research instruments possessing insufficient technical data to support respondent results. The specific purposes for the use of such instruments shall be stated explicitly to the examinee.

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

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

(K) Obsolete tests and outdated test results when using assessment and testing instruments: Counselors, social workers, and marriage and family therapists shall not use data or test results that are obsolete or outdated for the current purpose. Counselors, social workers, and marriage and family

therapists shall make every effort to prevent the misuse of obsolete measures and test data by others.

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

Replaces: 4575-5-01

Effective: 11/08/2007

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

Promulgated Under: 119.03

Statutory Authority: 4757.11

Rule Amplifies: 4757.11

Prior Effective Dates: 9-19-85 (Emer.); 12-19-85; 5-22-86; 6-11-95 (Emer.); 7-3-97; 8-2-01; 9-20-02; 4-10-04; 1-1-06

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

(A) Responsibilities in conducting research:

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

(B) Informed consent in conducting research and publishing:

- (1) Topics disclosed: In obtaining informed consent for research, counselors, social workers, and marriage and family therapists shall use language that is understandable to research participants and that:
 - (a) Accurately explain the purpose and procedures to be followed;
 - (b) Identify any procedures that are experimental or relatively untried;
 - (c) Describe the attendant discomforts and risks;
 - (d) Describe the benefits or changes in individuals or organizations that might be reasonably expected;
 - (e) Disclose appropriate alternative procedures that would be advantageous for subject;
 - (f) Offer to answer any inquiries concerning the procedures;
 - (g) Ascribe any limitations on confidentiality, and;
 - (h) Instruct that subjects are free to withdraw their consent and discontinue participation in the project at any time.
- (2) Deception: Counselors, social workers, and marriage and family therapists shall not conduct research involving deception unless alternative procedures are not feasible and the prospective value of the research justifies the deception. When the methodological

requirements of a study necessitate concealment or deception, the investigator shall explain clearly the reasons for this action as soon as possible.

- (3) Voluntary participation: Participation in research shall typically be voluntary and without any penalty for refusal to participate. Involuntary participation shall be appropriate only when investigators can demonstrate that participation shall ~~will~~ have no harmful effects on subjects and is essential to the investigation.
 - (4) Confidentiality of information: Information obtained about research participants during the course of an investigation shall be confidential. When the possibility exists that others may obtain access to such information, ethical research practice requires that the possibility, together with the plans for protecting confidentiality, shall be explained to participants as a part of the procedure for obtaining informed consent.
 - (5) Persons incapable of giving informed consent: When a person is not capable of giving informed consent, counselors, social workers and marriage and family therapists shall provide an appropriate explanation, obtain agreement for participation and obtain appropriate consent from a legally authorized person.
 - (6) Commitments to participants: Counselors, social workers, and marriage and family therapists shall take reasonable measures to honor all commitments to research participants.
 - (7) Explanations after data collections: After data is collected, counselors, social workers, and marriage and family therapists shall provide participants with full clarifications of the nature of the study to remove any misconceptions. Where scientific or human values justify delaying or withholding information, counselors, social workers and marriage and family therapists shall take reasonable measures to avoid causing harm.
 - (8) Agreements to cooperate: Counselors, social workers, and marriage and family therapists who agree to cooperate with another individual in research or publication incur an obligation to cooperate as promised in terms of punctuality of performance and with regard to the completeness and accuracy of the information required.
 - (9) Informed consent for sponsors: In the pursuit of research, counselors, social workers, and marriage and family therapists shall give sponsors, institutions, and publication channels the same respect and opportunity for giving informed consent that they accord to individual research participants. Counselors, social workers, and marriage and family therapists shall be aware of their obligation to future research workers and ensure that host institutions are given feedback information and proper acknowledgment.
- (C) Reporting results of research and publishing:
- (1) Information affecting outcome: When reporting research results, counselors, social workers, and marriage and family therapists shall explicitly mention all variables and conditions known to the investigator that may have affected the outcome of a study or the interpretation of this data.
 - (2) Accurate results: Counselors, social workers, and marriage and family therapists shall plan, conduct and report research accurately and in a manner that minimizes the possibility that results will be misleading. They shall provide thorough discussions of the limitations of their data and alternative hypotheses. Counselors, social workers, and marriage and family therapists shall not engage in fraudulent research, distort data, misrepresent data, or deliberately bias their results.
 - (3) Obligation to report unfavorable results: Counselors, social workers, and marriage and family therapists shall communicate to other counselors, social workers, and marriage and family therapists the results of any research judged to be of professional value. Results that reflect unfavorably on institutions, programs, services, prevailing opinions, or vested interests shall not be withheld.
 - (4) Identity of subjects: Counselors, social workers, and marriage and family therapists who supply data, aid in the research of another person, report research results, or make original data available shall take due care to disguise the identity of respective subjects in the absence of specific authorization from the subjects to do otherwise.
 - (5) Replication studies: Counselors, social workers, and marriage and family therapists shall make available sufficient original research data to qualified professionals who may wish to replicate the study.
- (D) Publication of research results:
- (1) Recognition of others: When conducting and reporting research, counselors, social workers, and marriage and family therapists shall be familiar with, and give recognition to, previous work on the topic, observe copyright laws, and give full credit to those to whom credit is due.

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

Replaces: 4575-5-01

Effective: 11/08/2007

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

Promulgated Under: 119.03

Statutory Authority: 4757.11

Rule Amplifies: 4757.11

Prior Effective Dates: 9-19-85 (Emer.); 12-19-85; 5-22-86; 6-11-95 (Emer.); 7-3-97; 8-2-01; 9-20-02; 4-10-04; 1-1-06

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

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

(B) Counselors, social workers, and marriage and family therapists shall not accept goods or services as payment for professional services unless those transactions ~~are in compliance~~ comply with the multiple relationship rule 4757-5-03 of the Administrative Code. Bartering arrangements are a form of multiple relationship and shall be documented per rule 4757-5-03 of the Administrative Code. Counselors, social workers, and marriage and family therapists who accept goods or services from clients as payment for professional services assume the full burden of demonstrating that this arrangement will not be detrimental to the client or the professional relationship.

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

Replaces: 4757-5-01

Effective: 11/08/2007

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

Promulgated Under: 119.03

Statutory Authority: 4757.11

Rule Amplifies: 4757.11

Prior Effective Dates: 9-19-85 (Emer.); 12-19-85; 5-22-86; 6-11-95 (Emer.); 7-3-97; 8-2-01; 9-20-02; 4-10-04; 1-1-06

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

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

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

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

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

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

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

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

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

(I) When counselors, social workers, or marriage and family therapists leave a practice, they shall follow a prepared plan for transfer of clients and files. Counselors, social workers, or marriage and family therapists shall prepare and disseminate to an identified colleague or "records custodian" a plan for the transfer of clients and files in the case of their incapacitation, death, or termination of practice. Agencies that close are required to follow section 5122.31 of the Ohio Revised Code.

Replaces: 4757-5-01

Effective: 11/08/2007

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

Promulgated Under: 119.03

Statutory Authority: 4757.11

Rule Amplifies: 4757.11

Prior Effective Dates: 9-19-85 (Emer.); 12-19-85; 5-22-86; 6-11-95 (Emer.); 7-3-97; 8-2-01; 9-20-02; 4-10-04; 1-1-06

4757-5-10 Standards of ethical practice and professional conduct: reporting unethical actions.

(A) Mandatory reporting: All licensees, registrants, supervisors and trainees have a responsibility to report any alleged violations of this act or rules adopted under it to the counselor, social worker, and marriage and family therapist board. Also, if they have knowledge or reason to suspect that a licensed colleague or other licensee is acting in an unethical way or is incompetent or impaired they shall

report that practitioner to the board. All mandatory reporting shall be in writing and bear the name and license number or registration of the reporter. When client confidentiality limits the licensee's ability to provide details the licensee is still mandated to report the allegations against another licensee without breaching client confidentiality.

(B) Counselors, social workers, and marriage and family therapists are required to comply with all mandatory reporting requirements set forth in the Revised Code to include, but not limited to:

- (1) Section 2305.51 of the Revised Code – Immunity of mental health professional for reporting violent behavior by a client or patient;
- (2) Section 2151.421 of the Revised Code – Duty to report child abuse or neglect;
- (3) Section 5101.61 of the Revised Code – Duty to report abuse, neglect or exploitation of an adult;
- (4) Section 2317.02 of the Revised Code – Privileged communications; and
- (5) Section 5123.61 of the Revised Code – Mandatory "duty to report abuse, neglect and other major incidents for a person with mental retardation or a developmental disability."

Replaces: 4757-5-01

Effective: 11/08/2007

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

Promulgated Under: 119.03

Statutory Authority: 4757.11

Rule Amplifies: 4757.11

Prior Effective Dates: 9-19-85 (Emer.); 12-19-85; 5-22-86; 6-11-95 (Emer.); 7-3-97; 8-2-01; 9-20-02; 4-10-04; 1-1-06

4757-5-11 Standards of ethical practice and professional conduct: change of name and/or address.

All licensees or registrants are required to notify the board of any changes of name or information to ensure that the board has their current name and mailing address within ninety days of those events. Failure to do so may result in disciplinary action by the board.

Replaces: 4757-5-01

Effective: 11/08/2007

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

Promulgated Under: 119.03

Statutory Authority: 4757.11

Rule Amplifies: 4757.11

Prior Effective Dates: 9-19-85 (Emer.); 12-19-85; 5-22-86; 6-11-95 (Emer.); 7-3-97; 8-2-01; 9-20-02; 4-10-04; 1-1-06

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

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

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

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

- (1) The name, title, business address, and business phone number of the licensee performing the services.
- (2) The formal professional education of the licensee, including their academic degrees, the institutions awarding those degrees and the dates awarded.
 - (a) "Formal professional education" means the licensee's academic training related to counseling, social work and/or marriage and family therapy, which meets the educational requirements for licensure.

- (b) Academic degrees that do not meet the requirements for licensure, including degrees that do not come from accredited education institutions, are not formal professional education as defined in this rule and shall not be listed on the professional disclosure statement.
- (3) The licensee's areas of competence and the services they provide as follows:
 - (a) The professional counselor's areas of competence and the services they provide. The practice of counseling and the delivery of those services are defined in division (A) of section 4757.01 of the Revised Code and in rules 4757-15-01 and 4757-15-02 of the Administrative Code. The counseling areas of competence and services are required to be listed on the professional statement;
 - (b) The social worker's areas of competence and the services they provide. The practice of social work and the delivery of those services are defined in division (C) of section 4757.01 of the Revised Code and in rules 4757-21-01, 4757-21-02, and 4757-21-03 of the Administrative Code. The social work areas of competence and services are required to be listed on the professional statement; or
 - (c) The marriage and family therapist's areas of competence and the services they provide. The practice of marriage and family therapy and the delivery of those services are defined in division (H) of section 4757.01 of the Revised Code [and in rules 4757-27-01 and 4757-25-02 of the Administrative Code](#). The marriage and family therapist areas of competence and services are required to be listed on the professional statement.
- (4) For a licensee employed in a private practice, partnership, or group practice, a fee schedule shall be listed by type of service or hourly rate.
- (5) The type of license(s) held by the individual and the license number(s).
- (6) At the bottom of the first page of the professional disclosure statement, the following words shall appear, "This information is required by the counselor, social worker, and marriage and family therapist board, which regulates the practices of professional counseling, social work, and marriage and family therapy in this state. If you have complaints about professional services from a counselor, social worker and/or marriage and family therapist contact the Ohio Counselor, Social Worker, and Marriage and Family Therapist Board, 50 West Board Street, Suite 1075, Columbus, OH 43215. Phone (614) 466-0912. Website: www.cswmft.ohio.gov."
- (C) The following legal and ethical principles apply in providing the professional disclosure statement:
 - (1) The provision of the professional disclosure statement is the sole responsibility of the licensee. A copy of the professional disclosure statement shall be submitted to the board upon request;
 - (2) The purpose of professional disclosure is to provide sufficient information to aid the client/consumer of services, or the public in making informed judgments and choices on matters concerning the provision of counseling, social work and/or marriage and family therapy services; and
 - (3) When choosing areas of competence and services provided to be listed on their professional disclosure statement, licensees shall be guided by paragraph (A)(1) of rule 4757-5-02 of the Administrative Code. "Counselors, social workers and marriage and family therapist shall not misrepresent directly, indirectly, or by implication their professional qualifications such as education, specialized training, experience, and/or area(s) of competence."
- (D) In listing areas of competence and services provided on the professional disclosure statement, licensees shall adhere to their scope of practice and delivery of services as referenced in paragraph (B)(3)(a), (B)(3)(b), or (B)(3)(c) of this rule and rules 4757-5-02 and 4757-11-01 of the Administrative Code.

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

Effective: 11/08/2007

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

Promulgated Under: 119.03

Statutory Authority: 4757.11

Rule Amplifies: 4757.11

Prior Effective Dates: (5-22-86; 7-3-97; 9-20-02; 1-1-06) & (5-22-86; 7-3-97; 9-20-02; 1-1-06)

[4757-5-13 Standards of ethical 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 through 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.

Added to 4757-3-01 Definitions

(EE) "electronic service delivery" (electronic therapy, cyber therapy, e-therapy, etc.) for counseling, social work or marriage and family therapy means any form of services offered or rendered primarily by electronic or technology-assisted approaches when the counselor, social worker or marriage and family therapist and the client are not located in the same place.

4757-6-01 Reports prepared for court review including custody, visitation and guardianship concerns.

(A) The role of the counselor, social worker, or marriage and family therapist is that of a professional expert who maintains ~~strives to maintain~~ an objective, impartial stance. A counselor, social worker or marriage and family therapist shall ~~does not~~ act as a judge who makes the ultimate decision applying the law to all relevant evidence. Neither does a counselor, social worker or marriage and family therapist act as an advocating attorney who strives to present his or her client's best possible case. A counselor, social worker, or marriage and family therapist in a balanced, impartial manner informs and advises the court and the prospective parties of the relevant mental health factors pertaining to the issue. A counselor, social worker, or marriage and family therapist shall ~~should~~ be impartial regardless of whether he or she is retained by the court or by a party to the proceedings. If either the counselor, social worker, marriage and family therapist, or the client cannot accept this neutral role, the counselor, social worker, or marriage and family therapist should consider(??) withdrawing from the case. If not permitted to withdraw, the counselor, social worker, or marriage and family therapist shall acknowledge ~~acknowledges~~ past roles and other factors that could affect impartiality. The counselor, social worker or marriage and family therapist should reference paragraph (D) of rule 4757-5-02 of the Administrative Code as to their obligation on confidentiality in any court discussion.

(B) A counselor, social worker, or marriage and family therapist contemplating performing court reports, including child custody reports, shall be ~~are~~ aware that special competencies and knowledge

are required for the undertaking of such evaluations. Competence in performing psychological assessments of children, adults and families is necessary but not sufficient. Education, training, experience and/or supervision in the areas to be evaluated are essential in preparing a report.

(C) A counselor, social worker, or marriage and family therapist shall use ~~uses~~ current knowledge of scientific and professional developments consistent with accepted clinical and scientific standards in selecting data collection methods and procedures.

(D) In the course of preparing a report, allegations of other issues may occur that are not necessarily within the scope of a particular evaluator's expertise. If this is so, the counselor, social worker, or marriage and family therapist shall seek ~~seeks~~ additional consultation, supervision, and/or specialized knowledge or training to address these issues.

(E) A counselor, social worker, or marriage and family therapist engaging in preparing reports that will likely be used in court shall be ~~is~~ aware of how biases regarding age, gender, race, ethnicity, national origin, religion, sexual orientation, disability, language, culture, and socioeconomic status may interfere with an objective evaluation and recommendations. A counselor, social worker, or marriage and family therapist shall recognize and strive ~~recognizes and strives~~ to overcome any such biases or withdraws from the evaluation.

(F) A counselor, social worker, or marriage and family therapist shall avoid ~~generally avoids~~ conducting a court evaluation in a case in which that counselor, social worker, or marriage and family therapist served in a therapeutic role for the client or his or her immediate family or has had other involvement that may compromise the counselor, social worker, or marriage and family therapist's objectivity. This should not preclude a counselor, social worker, or marriage and family therapist from testifying in the case as a fact witness concerning treatment. In addition, during the course of a court evaluation, a counselor, social worker, or marriage and family therapist shall ~~does not~~ accept any of the involved participants in the evaluation as a therapy client. Therapeutic contact with the participants following the court evaluation is undertaken with caution. A counselor, social worker, or marriage and family therapist asked to testify in court shall be ~~is~~ aware of the limitations and possible biases inherent in such a role and the possible impact on the ongoing therapeutic relationship. ~~Although the~~ The court may require the counselor, social worker, or marriage and family therapist to testify as a fact witness regarding factual information he or she became aware of in a professional relationship with a client. ~~But unless ordered by the court to do so,~~ that counselor, social worker, or marriage and family therapist shall ~~should generally decline~~ the role of expert witness, who gives a professional opinion regarding the custody and visitation issues ~~unless ordered by the court to do so.~~

(G) The scope of the court evaluation shall be ~~is~~ determined by the nature of the question or issue raised by the referring person or court, or is inherent in the situation. A counselor, social worker, or marriage and family therapist may be asked to critique the assumptions and methodology of the assessment of another mental health professional. A counselor, social worker, or marriage and family therapist also might serve as an expert witness providing expertise to the court without relating it specifically to the parties involved in a case.

(H) A counselor, social worker, or marriage and family therapist shall ~~will~~ adhere to the requirements regarding informed consent as outlined in paragraph (B)(2) of rule 4757-5-02 ~~4757-5-01~~ of the Administrative Code.

(I) A counselor, social worker, or marriage and family therapist shall ~~will~~ adhere to the requirements regarding confidentiality as outlined in paragraph (D) ~~(B)(4)~~ of rule 4757-5-02 ~~4757-5-01~~ of the Administrative Code.

(J) A counselor, social worker, or marriage and family therapist shall ~~strives to~~ use the most appropriate methods available for addressing the questions raised in a specific evaluation and generally uses multiple methods of data gathering, including but not limited to clinical interviews, observation, and/or mental health ~~psychological~~ assessments. Important facts and opinions shall be ~~are~~ documented from at least two sources whenever their reliability is questionable. A counselor, social worker, or marriage and family therapist may also interview extended family, friends, and other individuals on occasions when the information is likely to be useful. If information is gathered from third parties that is significant and may be used as a basis for conclusions, licensees shall corroborate it by at least one other source wherever possible and appropriate and document this in the report.

(K) A counselor, social worker, or marriage and family therapist shall refrain ~~refrains~~ from drawing conclusions not adequately supported by data. The counselor, social worker, or marriage and family therapist shall interpret ~~interprets~~ any data from interviews or assessment tests, as well as any questions of data reliability and validity cautiously and conservatively seeking convergent validity. A counselor, social worker, or marriage and family therapist shall ~~strives to~~ acknowledge to the court any limitations in methods or data used.

(L) A counselor, social worker, or marriage and family therapist ~~shall~~ does not give a professional opinion regarding the mental health functioning of any individual who has not been personally evaluated other than in addressing theoretical issues of hypothetical questions, **so long as (only if?)** the limited basis of the information is noted.

(M) If a counselor, social worker, or marriage and family therapist ~~makes~~ chooses to make recommendations, these recommendations ~~shall~~ should be derived from sound data and ~~shall~~ must be based on the best interests of the client involved. Recommendations ~~shall be~~ are based on articulated assumptions, data, interpretations, and inferences based upon established professional and scientific standards. A counselor, social worker, or marriage and family therapist ~~shall not rely~~ guards against ~~relying~~ on their own biases or unsupported beliefs in rendering opinions in particular cases.

(N) A counselor, social worker, or marriage and family therapist ~~shall~~ will adhere to the requirements regarding record keeping as outlined in ~~paragraph (1) of rule~~ [4757-5-09](#) ~~4757-5-01~~ of the Administrative Code.

Effective: 09/20/2007

R.C. 119.032 review dates: 04/10/2009

Promulgated Under: 119.03

Statutory Authority: 4757.10, 4757.11

Rule Amplifies: 4757.11

Prior Effective Dates: 4-10-04; 9-20-07

[4757-6-02 Summary suspension.](#)

(A) If the counselor, social worker, and marriage and family therapist board determines that there is clear and convincing evidence that a person who has been granted a license or registration under this chapter has committed an act that subjects the person's license or registration with the board to action under Ohio Revised Code section 4757.36 and that the person's continued practice presents a danger of immediate and serious harm to the public, the board, or one of its professional standards committees, may suspend the license without a prior hearing. ~~A telephone conference call may be utilized for reviewing the matter and taking the vote.~~ [\(This violates Sunshine Law – Melissa recommended removing this sentence.\)](#)

(B) The board shall issue a written order of suspension by certified mail or in person in accordance with Ohio Revised Code section 119.07. The order is not subject to suspension by the court during pendency of any appeal filed under Ohio Revised code section 119.12. If the person subject to the suspension requests an adjudication by the board, the date set for the adjudication shall be within fifteen business days, but not earlier than seven business days, after the request, unless otherwise agreed to by both the board and the person subject to the suspension.

(C) Any summary suspension imposed under this section shall remain in effect, unless reversed on appeal, until a final adjudication order issued by the board pursuant to Ohio Revised Code section 4734.36 and Chapter 119 becomes effective. The board shall issue its final adjunctive order within sixty days after completion of its adjudication. A failure to issue the order within sixty days shall result in dissolution of the summary suspension order but shall not invalidate any subsequent, final adjudicative order.

Effective: 01/01/2006

R.C. 119.032 review dates: 04/10/2009

Promulgated Under: 119.03

Statutory Authority: 4757.10

Rule Amplifies: 4757.361

Prior Effective Dates: 4-10-04

[4757-7-01 Renewal of license or certificate of registration.](#)

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

(A) The renewal applicant shall file the required renewal forms in a manner prescribed by the board and shall pay the appropriate renewal fee. For the purposes of renewing online, the board shall supply the applicant with an user identification and password. The use of the user identification and password provided by the board is solely the responsibility of the licensee to whom it is issued and

shall be limited to filing a renewal application or updating the address. The user identification and password shall constitute the legally recognized signature for the purposes of this rule and may not be transferred, distributed or shared with any other person. Any person who knowingly makes a false statement on a renewal application or electronic application may be found guilty of falsification under section 2921.13 of the Revised Code, a misdemeanor of the first degree.

(B) The renewal applicant shall demonstrate in a manner prescribed by the board that the applicant has met the continuing professional education requirements for any license or certificate of registration that the applicant holds.

- (1) The continuing professional education required for renewal shall have been acquired subsequent to the issue of, or the last renewal of, the license or certificate of registration.
- (2) Renewal applicants who hold two or more licenses issued by this board shall satisfy the continuing professional education requirements for each license they wish to renew. Continuing professional education used to renew one license or certificate of registration issued by this board may be used to renew another license or certificate of registration if it is approved for that license or certificate of registration.
- (3) The board may waive the continuing professional education requirements for persons unable to meet them because of disability, residence abroad, military service, or other reasonable cause. Such requests for waiver ~~shall~~ must be accompanied by documentation acceptable to the board per paragraph (D) of this rule.

(C) Except as stated in paragraph (B)(3) of this rule, the licenses or certificates of registration of persons who do not meet their continuing professional requirements shall expire two years from the date of issuance. The board shall renew any license or certificate of registration that has been lapsed for two years, or less, upon application by the former licensee or registrant, documentation that the continuing professional education requirement for renewal has been met, and payment of the renewal fee. That restoration shall be for the remainder of the two years from the expiration date of that license. ~~Individuals not renewing within two years of their expiration date will be required to reapply for licensure as a new applicant. Any licensee eligible to renew may not apply for a new license.~~

- (1) Thirty hours of continuing professional education shall be required to renew a license or certificate of registration that has been lapsed, unless it is the first renewal of an individual who was licensed as a social worker with a related degree. Those individuals shall be required to complete the social work coursework requirement.
- (2) For all renewals, all licensees and registrants shall complete three hours of the thirty required hours in the area of social work, counseling, or marriage and family therapy ethics whichever applies.
- (3) Licensees who fail to renew within two years of the expiration date of their license are not eligible to renew their license per the third paragraph of section 4757.32 of the Revised Code. These expired licensees in order to be licensed shall apply as if never licensed. They shall comply with the current education, examination, supervision and other requirements as applicable for the license desired and meet all requirements of rule 4757-1-04 of the Administrative Code.

(D) Waiver of continuing education requirements shall be processed as delineated in this rule. Waivers shall be requested using forms delineated by the board. Waiver of continuing education may be for the full thirty hours, or any part thereof, or a partial waiver of any or all of the hours that shall be completed by a future date per a consent agreement. Waivers should be requested with at least thirty days ~~lead-time~~ lead-time to allow processing prior to the expiration of a license for those licensees practicing in Ohio. A licensee whose license renewal date has passed shall not practice until they have renewed or they shall be in violation of section 4757.02 of the Revised Code and subject to administrative action up to and including revocation of their license.

- (1) Licensees who are disabled during a renewal period may receive a full waiver for renewal following disability. Proof of inability to work shall be provided for this waiver. A waiver ~~will~~ shall be required for each subsequent renewal. Once the licensee is practicing, he/she shall be required to complete the continuing education requirements unless they are granted another waiver.
- (2) Licensees residing abroad may take appropriate continuing education courses in that country and submit post approval requests per paragraph (C) of rule 4757-9-05 of the Administrative Code. Should appropriate courses not be available they may apply for a complete or partial waiver of continuing education hours needed for renewal. Once he/she returns to the United States the licensee shall complete the required continuing education hours for the next renewal.

- (3) Military members on active duty outside of Ohio may receive a complete or partial waiver of all continuing education hours upon providing proof of orders outside of Ohio. Military members in Ohio may provide proof that they are unable to complete continuing education in order to receive a full or partial waiver of continuing education hours required.
- (4) Other reasonable causes may be submitted in writing requesting full or partial waiver of continuing education or future completion of continuing education hours needed to complete the thirty hours required.
- (5) If a waiver is granted, the licensee shall renew immediately, and their file annotated as to the status of their waiver and any due date for completion of additional continuing education hours. Any licensee required to complete future continuing education hours shall complete a consent agreement prior to renewing their license.
- (6) If a licensee is not practicing, a waiver shall not be granted unless the licensee is a military member or disabled and unable to work.

Effective: 01/10/2008

R.C. 119.032 review dates: 04/10/2009

Promulgated Under: 119.03

Statutory Authority: 4757.10

Rule Amplifies: 4757.32, 4757.33

Prior Effective Dates: 5-22-86; 7-3-97; 2-9-98; 9-20-02; 4-10-04

4757-7-02 Practice with expired license or certificate of registration is prohibited.

Persons whose licenses or certificates or registration have lapsed or expired and who continue to hold themselves out as counselors, social workers, or marriage and family therapists, or who engage in counseling, social work, or marriage and family therapy without a license or certificate of registration, shall be in violation of Chapter 4757. of the Revised Code. Persons who practice counseling, social work, or marriage and family therapy while their licenses or certificates of registration are under suspension or revocation shall be in violation of Chapter 4757. of the Revised Code.

HISTORY: Eff 5-22-86; 7-3-97; 2-9-98; 4-10-04

Rule promulgated under: RC 119.03

Rule authorized by: RC 4757.10

Rule amplifies: RC 4757.02, 4757.32

RC 119.032 review dates: 6/17/02, 6/15/07, 12/8/03, 4/10/09

4757-9-01 Continuing education requirements for renewal of a marriage and family therapist or independent marriage and family therapist license.

(A) ~~For marriage~~ Marriage and family therapists and ~~for independent marriage and family therapists,~~ the requirements for license renewal are require thirty hours of approved continuing professional education for license renewal in any combination of the following program areas ~~of marriage and family therapy training~~ listed in section 4757.30 of the Revised Code: research, professional ethics, marriage and family studies, marriage and family therapy, human development, appraisal of individuals and families, systems theory, and supervision.

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

HISTORY: Eff 4-10-04

Rule promulgated under: RC 119.03

Rule authorized by: RC 4757.10

Rule amplifies: RC 4757.32, 4757.33

RC 119.032 review date: 4/10/09

4757-9-05 Approval of continuing professional education programs required for renewal of licenses and certificates of registration issued by the board.

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

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

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

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

(1) "Provider Status" means an individual or entity granted approval to develop continuing education program offerings without prior approval from the board for each program offered.

All continuing education offerings shall utilize the same provider authorization number assigned by the board. A licensed individual shall review each CEU program as noted on the provider application or most recent renewal application on file with the Board.

(2) "Co-sponsorship" means an approved provider works jointly with another entity to develop and offer a joint program by both entities. The continuing education program developed may use the approved provider's CEU provider number and the approved provider must keep all records as listed in 4757-9-05 (B)(5)(h). Only the board may authorize a CEU program when an entity with provider status has not been directly involved as a co-sponsor.

~~(A)~~(B) Guidelines for continuing education program approval:

(1) Academic courses offered in accredited education institutions by counseling, social work, and marriage and family therapy degree programs as defined in paragraphs (A) of rule 4757-13-01, (C)(1)(g) of rule 4757-19-01 and (A)(1) of rule 4757-25-01 of the Administrative Code, are automatically granted program approval. Transcripts and/or grade reports shall be used to document this training.

(2) Approved programs may be sponsored by departments of accredited educational institutions; national, regional, state, or local professional organizations or associations; public or private human service agencies or organizations; private consultants; or individuals. In order to obtain approved status from the board, a program shall meet the following requirements:

(a) The program shall be presented by competent individuals as documented by appropriate academic training and professionally recognized experience. Presenters should have an identifiable involvement with human services. In approving a particular presenter the board ~~shall will~~ be guided by the following range of presenter qualifications.

(i) Counselors, social workers, or marriage and family therapists with appropriate expertise in the content area ~~shall will~~ clearly be accepted.

(ii) Related professionals with the ability to connect content to counseling, social work or marriage and family therapy practice ~~shall will~~ usually be accepted.

(iii) Expert presenters with no apparent link to counseling, social work and marriage and family therapy, or related practice may or may not be acceptable based upon content to be presented and intended audience.

- (iv) Presenters with no apparent professional qualifications nor link to social work, counseling, marriage and family therapy, or human services ~~will~~ shall not be accepted.
- (v) Presenters providing training in practice areas that would require licensure shall show evidence of current licensure in Ohio or another state.
- (b) The program shall meet the professional needs of the intended clientele, which shall include counselors, social workers, and/or marriage and family therapists.
- (c) The program shall have a minimum duration of one clock hour.
- (d) The program shall have written goals and objectives, which are responsive to the needs of prospective counselor, social worker and marriage and family therapist attendees. Applications shall include lesson plans, power points, pre-post tests (if applicable) & bibliography.
- (e) The program shall be related to counseling, social work and/or marriage and family therapy content areas as listed in rules 4757-9-01, 4757-9-02 and 4757-9-03 of the Administrative Code. Individuals or organizations seeking approval for programs with content, which is not clearly related to these content areas for generalist theory or practice, or specifically referenced in counseling, social work and marriage and family therapy accredited academic training programs, may be required to provide the following additional information to substantiate the direct applicability of the content to social work, marriage and family therapy, and/or counseling professionals.
 - (i) Explain and justify the content applicability to counseling, social work and marriage and family therapy theory or practice and the implications for generalist practice.
 - (ii) ~~Program~~ Programs with content in areas or subjects not specifically taught or referenced in counseling, social work and marriage and family therapy curriculum, in order to be approved, ~~shall require inclusion with the application of~~ provide the board with copies of peer reviewed journal articles, which validate the direct application to counselors, social workers and marriage and family therapists of the theory or intervention which is the focus of the continuing education program.
 - (iii) Peer reviewed journals shall meet the following criteria: (a) have an independent editorial board, (b) be sponsored by a national professional society for counseling, social work, marriage and family therapy, psychology or psychiatry, and (c) have paid subscribers. Articles appearing in publications dealing with the specific program topic area ~~shall~~ will not constitute validation.
- (f) The program shall be disseminated via appropriate instructional methods, such as lecture, group discussion, video, film, computer or other electronic means, written materials, or interactive teleconferencing.
- (g) The program shall include an evaluation component directly related to its stated goals and objectives.
- (h) The program shall be offered in a place and manner, which is accessible to persons who are physically challenged.
- (i) The program approval request shall be submitted for review, on a form designated by the board, at least sixty days prior to the scheduled program date. Program approval requests received on or after the date of the program shall be denied.
- (j) The program's promotional information shall state that program approval has either been applied for or has been granted, and to which license(s) renewal requirements the program shall ~~will~~ apply.
- (k) The sponsor of the program shall provide program participants certificates of completion, which contain the following information:
 - (i) The title and date(s) of the program and the board's program approval number;
 - (ii) The name of the sponsoring agency or organization;
 - (iii) The name of the participant and the number of clock hours of continuing professional education earned by the participant;
 - (iv) The signature of the instructor or the official representative of the sponsoring organization;
 - (v) The hours of ethics, distance learning and/or supervision included in the program if any; and
 - (vi) A blank space on the certificate of completion in which the participant may place their registration or license number.
- (l) The sponsor shall ensure that the program conforms to the planned hours of attendance, attendance certificates are given to attendees after the end of the program and that any

late arrivals or early departees are given certificates accurately reflecting their actual times of attendance.

~~(B)~~(C) Guidelines for provider approval:

(1) Approved provider status for newly approved providers shall ~~will~~ be granted for a one-year period and is subject to renewal for two year periods, if the provider meets the requirements of this rule.

(2) Providers are not independent authorizing entities for CEU programs offered by other entities. CEU offerings that include outside presenters, that are not co-sponsorships, shall be submitted separately and independently to the board for approval. If approved, that program will use the individual program number of the applying entity.

(3) Providers may use their own numbers for presentations by this board's staff members, for example ethics or licensing presentations.

~~(2)~~(4) The board may refuse to renew the approved status of any provider who fails to comply with the requirements of this rule. Approved provider status may be withdrawn for cause.

~~(3)~~(5) Programs offered by a provider while that provider does not have approved status shall not be accepted by the board toward fulfillment of license renewal requirements unless program approval for such programs was obtained as set forth in this rule.

~~(4)~~(6) Provider status is automatically accorded to counseling degree programs, social work degree programs and, marriage and family therapy degree programs as defined in rules 4757-13-01, 4757-19-01 and 4757-25-01 of the Administrative Code, in accredited educational institutions. Transcripts or grade cards shall ~~will~~ serve as evidence of completed coursework. If the licensee audits an approved course, a letter from the professor shall ~~will~~ be required to verify actual number of hours of attendance, which shall ~~will~~ be used to determine hours of continuing education credit granted. Continuing education programs offered by these providers shall meet the requirements from paragraphs (B)(5)(c) through (B)(5)(j) of this rule and the following:

(a) Make application on a form as required by the board, which shall be approved for two years; and

(b) Apply for renewal of approved provider status two months prior to the desired two-year period with a synopsis of all programs provided during the prior two years.

~~(5)~~(7) The board may grant approved status to providers not automatically approved in paragraph (B)(4) of this rule. Such providers may include but are not limited to: national regional, state, or local professional organizations, public or private human service agencies, private consultants or individuals. The applicant for approved provider status shall meet the following requirements:

(a) Make application for approval status on a form provided by the board at least two months prior to the date of the first scheduled program offering. A list of proposed programs and program goals shall be included with the application.

(b) Submit to the board, no later than two months before the end of the probationary period, a synopsis of all programs during the previous ten months;

(c) Apply for renewal of approved provider status two months prior to the desired two-year period;

(d) Provide or arrange for appropriate educational facilities and instructional aids and offer programs and facilities that are accessible to persons who are handicapped.

(e) Have program presenters who have the professionally recognized skills to conduct the programs being offered in accordance with paragraph (A) of this rule;

(f) Conduct programs that satisfy one or more of the program areas in counseling, social work or marriage and family therapy as defined in rules 4757-9-01, 4757-9-02 and 4757-9-03 of the Administrative Code and/or in counseling, social work or marriage and family therapy as defined in division (A), (C) or (H) of section 4757.01 of the Revised Code;

(g) Include an evaluation component in all programs offered;

(h) Maintains records of program content, presenter qualifications and individual participation, and summary of evaluation forms for five years and make such records available if the board requests them;

(i) Furnish to each participant a certificate of completion that includes the following information:

(i) Name of the provider and the approved provider number;

(ii) The name of the participant and a blank space on the certificate of completion in which the participant may place their registration or license number;

- (iii) The title and date(s) of the program;
- (iv) The hours of ethics, distance learning and/or supervision included in the program if any;
- (v) The signature of the instructor or the official representative of the sponsoring organization; and
- (vi) The number of clock hours of continuing professional education earned by the participant.
- (j) Indicate, on any promotional literature disseminated, the provider number issued by the board and the license(s) renewal requirements to which the program(s) shall ~~will~~ apply.
- (k) Each program ~~is required to~~ shall have review and or input by a counselor, social worker and/or marriage and family therapist as appropriate.
- (l) Provider status shall not be approved for applicants that plan to provide less than five programs during the initial approval year nor renewed for applicants that plan to offer less than eight programs during a two-year renewal period. These applicants should request individual program approvals.
- (m) The provider shall ensure that the program conforms to the planned hours of attendance, attendance certificates are given to attendees after the end of the program and that any late arrivals or early departees are given certificates accurately reflecting their actual times of attendance.

~~(C)~~ (D) Post program approval:

- (1) Social work licensees or registrants shall apply on a form prescribed by the board for post-approval for relevant distance learning, out of state continuing professional education programs and coursework in related disciplines.
- (2) Counselor licensees shall apply on a form prescribed by the board for post-approval for relevant distance learning, out of state continuing professional education programs and coursework in related disciplines.
- (3) Licensees shall apply for post-program approval, on a form designated by the board, within ninety days of completing a program.
- (4) Marriage and family therapists may apply on a form prescribed by the board for post-approval for relevant distance learning, out of state continuing professional education programs and coursework in related disciplines.
- (5) To obtain a post-program approval, the licensee shall ~~must~~ provide the following:
 - (a) Documentation that the program presenter(s) met the requirements of paragraph (A)(2)(a) of this rule;
 - (b) A copy of the program brochure and other documentation, if necessary, to demonstrate that the program met the requirements of paragraphs (A)(2)(b) to (A)(2)(f) of this rule;
 - (c) A certificate of completion, transcripts, grade card, or signed statement from the presenter to demonstrate the licensee's attendance at the program or course.

Effective: 09/20/2007

R.C. 119.032 review dates: 04/10/2009

Promulgated Under: 119.03

Statutory Authority: 4757.10

Rule Amplifies: 4757.33

Prior Effective Dates: 5-22-86; 9-26-88; 7-3-97; 7-10-00; 4-10-04

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 an 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 these rules, 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 ~~will~~ be divided equally among the authors.

(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, which meet the following requirements:

- (1) 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.
- (2) Courses or presentations, which are a part of or a requirement of, an individual's employment, shall ~~will~~ not be accepted.

(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) 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) 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 ~~shall~~ will be used at the completion of the study.
- (E) 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.
- (F) 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 accredited educational institutions; audited courses require documentation by 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.

Effective: 09/20/2007

R.C. 119.032 review dates: 04/10/2009

Promulgated Under: 119.03

Statutory Authority: 4757.10

Rule Amplifies: 4757.33

Prior Effective Dates: 5-22-86; 7-3-97; 7-10-00; 4-10-04

4757-11-01 was filed with changes on 8/8/2008 – this version presumes that that filing ~~shall~~ will be approved as submitted.

4757-11-01 Denial, and disciplinary action for licenses or certificates of registration issued by the counselor, social worker, and marriage and family therapist board.

The board may refuse to admit for examination, issue, renew, or may suspend, revoke, reprimand or place restrictions on any license or certificate of registration applied for or issued under Chapter 4757. of the Revised Code, or may take other disciplinary action against any licensee or registrant, if that person has:

- (A) Failed to meet the education, experience, examination, good moral character or other requirements set forth in Chapter 4757. of the Revised Code; and/or,
- (B) Violated any provision of the code of ethical practice or professional conduct or committed any other violation of professional behavior contained in the rules; and/or,
- (C) Committed a violation of any provision of Chapter 4757. of the Revised Code, or of rules adopted under it, including the provisions of section 4757.36 of the Revised Code; to include any of the following:
 - (1) Knowingly made a false statement in an application for licensure or registration, or in renewal of a license or certificate of registration;
 - (2) Accepted a commission or rebate for referring persons to any professionals licensed, certified, or registered by any court or board, commission, department, division, or other agency of the state, including, but not limited to, professionals in counseling, social work, or marriage and family therapy or in fields related to counseling, social work, or marriage and family therapy;
 - (3) Failed to comply with section 4757.12 of the Revised Code;

- (4) Been denied, revoked, suspended or had restrictions placed on any license including, but not limited, to licensure to practice counseling, social work, or marriage and family therapy for any reason other than failure to renew in another state or jurisdiction;
- (5) Used a controlled substance or alcoholic beverage to the extent that it impaired their ability to perform properly as a professional counselor, professional clinical counselor, counselor trainee, social work assistant, social worker, independent social worker, marriage and family therapist, or independent marriage and family therapist;
- (6) Been convicted of, pled guilty to, pled no contest to, or had a judicial finding of guilt imposed in this state or in any other state of a misdemeanor committed in the course of practice as a professional counselor, professional clinical counselor, counselor trainee, social work assistant, social worker, independent social worker, marriage and family therapist, or independent marriage and family therapist;
- (7) Been convicted of, pled guilty to, pled no contest to, or had a judicial finding of guilt imposed in this state or any other state or jurisdiction of a felony or any crime involving moral turpitude;
- (8) Committed any act that could be considered a crime in the state of Ohio. The board ~~will~~ shall refer this information to local law enforcement;
- (9) In the case of a professional counselor, professional clinical counselor, or counselor trainee practiced professional counseling outside of their scope of practice;
- (10) In the case of a social worker trainee, social worker or independent social worker, practiced social work outside their scope of practice, or a social work assistant who practices social work or practices outside their scope of practice;
- (11) In the case of a marriage and family therapist, or independent marriage and family therapist, practiced marriage and family therapy outside their scope of practice;
- (12) Sold, given away, diverted, or administered drugs for other than legal purposes; or been convicted of, pled guilty to, pled no contest to, or had a judicial finding of guilt imposed for violating any municipal, state, county or federal drug law;
- (13) Been professionally diagnosed as having an impairment of the ability to practice according to acceptable and prevailing standards of professional counseling, social work, and marriage and family therapy because of a physical or mental disability or drug or alcohol addiction;
- (14) Been adjudged by a probate court that the applicant for licensure, licensee, or registrant is mentally ill or mentally incompetent. The board may restore the license or registration or review the application for licensure or registration upon the adjudication by a probate court of the person's restoration to competency or upon submission to the board of other proof of competency;
- (15) Engaging or aiding and abetting an individual to engage in the practice of professional counseling, social work, or marriage and family therapy without a license, or falsely using the title of counselor, social worker, or marriage and family therapist;
- (16) Failure to submit any records or documents, written statements or explanations that have been requested or subpoenaed by the board;
- (17) Failure to report any relevant information to the board concerning a counselor, marriage and family therapist, social worker, social work assistant, applicant, or trainee who is incapable of engaging in the practice of counseling, marriage and family therapy, or social work with reasonable skill, competence, and safety to the public, or failure to report any alleged violations of this act or rules adopted under it;
- (18) Failure to cooperate in any investigation concerning allegations to their or another licensee's or registrant's license or registration;
- (19) Failure to maintain appropriate standards of care. Standards of care shall be defined as what an ordinary, reasonable professional with similar training would have done in a similar circumstance;
- (20) The counselor, social worker, and marriage and family therapist board, under the provisions of the license or registration renewal requirements set forth in rule 4757-7-01 of the Administrative Code, has the authority to discipline a licensee or registrant who:
 - (a) Falsifies the renewal form by stating they have completed the required thirty hours of continuing education at the time they signed the renewal, if it is proven they have not completed the continuing education at that time;
 - (b) When audited, cannot present proof of thirty hours of approved continuing education.
- (21) Failure to adhere to any conditions set forth in a board approved adjudication order or consent agreement; and/or

~~(22) Failure to cooperate in any investigation concerning allegations to their own or another licensee's or registrant's license or registration.~~

(D) One year or more after the suspension or revocation of a license or certificate or registration under this rule, and application for reinstatement may be made to the board. The board may accept or refuse an application for reinstatement. If a license has been suspended or revoked, the board may require an examination for reinstatement.

(E) The board shall investigate evidence that appears to show that any person has violated any provision of this chapter or any rule of the board. In the absence of bad faith, any person who reports such information or who testifies before the board in any adjudication conducted under Chapter 119. of the Revised Code shall not be liable for civil damages as a result of the report or testimony.

(F) Information received by the board pursuant to an investigation is confidential in accordance with section 4757.38 of the Revised Code and shall not be subject to discovery in any civil action. If the investigation requires a review of client records, the investigation and proceedings shall be conducted in such a manner as to protect client confidentiality.

Effective: 01/01/2006

R.C. 119.032 review dates: 04/10/2009

Promulgated Under: 119.03

Statutory Authority: 4757.10

Rule Amplifies: 4757.36

Prior Effective Dates: 4-10-04; 11-4-04

4757-11-02 Impaired practitioner rules.

(A) For purposes of the rule, an individual licensee who accepts the privilege of practicing counseling, social work, or marriage and family therapy in this state is subject to the supervision by the board. ~~By~~ The act of filing an application for licensure or being licensed or registered by the board, the individual ~~shall be deemed to have~~ has given consent to submit to a mental or physical examination, at the individual's expense, when ordered to do so by the board in writing, and to have waived all objections to the admissibility of testimony or examination of reports that constitute privileged communications.

(B) If the professional standards committee receives information by the filing of a verified complaint with the board office, or upon its own information that a licensee or registrant, be it either a counselor's, a social worker's, or a marriage and family therapist's ability to practice has fallen below the acceptable and prevailing standards of care because of habitual or excessive use or abuse of drugs, alcohol, or other substances or other physical or mental impairments that impair their ability to practice, the professional standards committee ~~may do the following:~~ order the licensee to submit to a mental or physical examination, at the licensee's expense, conducted by a designee of the board for the purpose of determining if there is an impairment that is posing a threat to the licensee's well-being or the treatment of a client whom the licensee or registrant serves.

~~(1) Order the licensee to submit to a mental or physical examination, at the licensee's expense conducted by a designee of the board for the purpose of determining if there is an impairment that is posing a threat to the licensee's well-being or the treatment of a client whom the licensee or registrant serves.~~

(C) Failure of the individual licensee or registrant to submit to a mental or physical examination order by the professional standards committee constitutes an admission of the allegations against the individual licensee or registrant unless the failure is due to circumstances beyond the individual's control.

(D) If the professional standards committee determines that the individual's ability to practice is impaired the following action shall be taken; ~~the professional standards committee shall suspend or place restrictions on the individual's license or registration to practice;~~ ~~or deny the individual's application for licensure or registration and require the individual to submit to treatment;~~ ~~or other requirements as a condition for initial, continued, reinstated or renewed licensure or registration to practice.~~

(1) The professional standards committee shall suspend or place restrictions on the individual's license or registration to practice; or

(2) Deny the individual's application for licensure or registration and require the individual to submit to treatment; or

(3) Other requirements as a condition for initial, continued, reinstated or renewed licensure or registration to practice.

- (E) The professional standards committee at its discretion ~~shall~~ will:
- (1) Contract with providers of impaired treatment programs.
 - (2) Receive and evaluate reports of suspected impairment from any source.
 - (3) Intervene in cases of verified impairment.
 - (4) Monitor treatment and rehabilitation of the impairment.
 - (5) Provide post-treatment monitoring and support.
 - (6) Provide other functions as necessary to carry out the provisions of this rule.
 - (7) Make amendments, if necessary, to the treatment program's findings.
- (F) The professional standards committee approved treatment program ~~shall~~ will:
- (1) Receive relevant information from the board office and other sources regarding the potential impairment.
 - (2) Report in a timely fashion any impaired counselor, social worker, or marriage and family therapist:
 - (a) Who refuses to cooperate with an evaluation or investigation;-
 - (b) Who refuses to submit to treatment/rehabilitation;-
 - (c) Whose impairment is not substantially alleviated through treatment;- and/or
 - (d) Who in the opinion of the evaluators is unable to practice counseling, social work, or marriage and family therapy with reasonable skill and safety.
 - (3) Provide confidentiality of non-public information of the review process.
 - (4) Provide an initial report of the nature, severity, and progress of the impairment.
 - (5) Provide periodic reports, at a rate determined by the board concerning the counselor's, social worker's, or marriage and family therapist's progress.
 - (6) Provide a final report including the treatment outcome and a finding as to the counselor's, social worker's, or marriage and family therapist's fitness to practice.
 - (7) Follow any requirements outlined in a formal agreement the licensee, registrant or applicant for licensure has entered into with the board.

HISTORY: Eff 4-10-04; 10-1-04

Rule promulgated under: RC 119.03

Rule authorized by: RC 4757.10

Rule amplifies: RC 4757.10

R.C. 119.032 review dates: 06/07/2004 and 04/10/2009

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 ~~describes: A 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~~ must clearly be identified as marriage and family therapy. Such a program ~~shall~~ must 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~~ must 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~~ must 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 ~~think~~ recognize across a wide variety of family structures and a diverse range of issues (~~i.e.~~ 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~~ ~~must~~ 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~~ ~~will~~ address from a relational/systemic perspective, psychopharmacology, physical health and illness, traditional psycho diagnostic categories, and the assessment and treatment of major mental and emotional disorders.
- (g) Practicum: Includes a supervised training experience taken during the completion of a degree program consisting of the provision of marriage and family therapy to clients and is acceptable to the board.
 - (i) Minimum twelve months, supervised clinical practicum with three hundred hours of direct contact with individuals, couples, and families.
 - (ii) Fifty percent of the three hundred hours ~~shall~~ ~~must~~ be with couples and families present. .
 - (iii) Prior to the beginning of the acceptable practicum student ~~shall~~ ~~must~~ have completed a course in marriage and family therapy and marriage and family studies.
- (4) The marriage and family therapy coursework completed ~~shall~~ ~~must~~ include four courses in marriage and family therapy. Courses in this area should have a major focus on advanced marital or family systems and systemic therapeutic interventions. This area is intended to provide a substantive understanding of the major theories of systems change and the applied practices evolving from each theoretical orientation. Major theoretical approaches include but are not limited to: strategic, structural, object relations, behavioral, intergenerational, and systemic sex therapy.
- (5) Programs that are accredited by the "Commission On Accreditation Of Marriage And Family Therapy Education" (COAMFTE) ~~shall~~ ~~must~~ have met all of the conditions specified in paragraphs (A)(1) to (A)(4) of this rule are recognized as meeting the requirements for a graduate degree in marriage and family therapy.
- (6) Programs not accredited by the "Commission On Accreditation Of Marriage And Family Therapy Education" (COAMFTE) listed in paragraph (A)(5) of this rule ~~shall be submitted to this board for approval~~ ~~must be approved by this board~~ as meeting the educational requirements for admission to the examination for the marriage and family therapy license. Program approval may be obtained by submitting to the board written evidence that the degree meets the requirements set forth in paragraphs (A)(1) to (A)(4) of this rule.
- (B) Applicants with other graduate degrees in a mental health field that contain sixty semester hours or ninety quarter hours ~~shall~~ ~~must~~ 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~~ ~~will~~ be afforded an opportunity for a hearing pursuant to Chapter 119. of the Revised Code.

Replaces: 4757-25-01

Effective: 01/10/2008

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

Promulgated Under: 119.03

Statutory Authority: 4757.10

[4757-25-02 Marriage and family therapist examination policy.](#)

(A) The examination required for licensure as a marriage and family therapist or an independent marriage and family therapist is the "Examination In Marital and Family Therapy" offered by the "Association of Marital and Family Therapy Regulatory Boards"(AMFTRB).

(B) The examination shall be offered at least twice each year.

(C) Only applicants who are approved by the board may sit for the examination. Approval to sit for the examination ~~shall~~ will be granted if a review of the applicant's educational records establishes that the educational requirements for licensure are met.

(1) Applicants who have a master or doctoral degree from an accredited educational institution may provide a student copy of their transcript(s) via mail, email or facsimile in order for the board to make an examination approval or disapproval decision.

(2) Applicants in the last term prior to receiving their master or doctoral degree from a program that is accredited by COAMFTE may provide a letter, facsimile or email from a professor or registrar that states the student is on track to graduate at the end of that term in order for the board to make an examination approval or disapproval decision.

(D) An applicant who is approved for the examination shall be sent an ~~approval~~ admission letter from the board.

~~(1) The letter must be presented at the testing site for admission to the examination.~~

~~(2)~~(1) The letter is effective only for the next examination given after the date of issuance.

~~(3)~~(2) An applicant who fails to take the examination during the effectiveness of the letter shall must request another ~~approval~~ admission letter.

(E) The minimum score for passage of the examination for marriage and family therapists and independent marriage and family therapists is the passing score as determined by the "Association of Marriage and Family Therapist Regulatory Boards" (AMFTRB) and the marriage and family therapist professional standards committee. ~~"Professional Examination Services" (PES).~~

HISTORY: Eff 4-10-04

Rule promulgated under: RC 119.03

Rule authorized by: RC 4757.10

Rule amplifies: RC 4757.30

RC 119.032 review date: 4/10/09

New rules

[4757-25-03 General requirements for licensure as a marriage and family therapist.](#)

All applicants for licensure as a marriage and family therapist shall:

(A) Meet the educational requirements as established in paragraph (A) of 4757-25-01 of the Administrative Code.

(B) Successfully complete the licensure examination prescribed by the marriage and family therapist professional standards committee, if applicable.

(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. (These requirements include the criminal records check, application with fee, transcript requirements, and define good moral character.)

[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 4757-25-01 of the Administrative Code, complete at least two calendar years of work experience in marriage and family therapy that meets all of the following requirements:

- (a) The experience shall include a minimum of one thousand hours of documented client contact in marriage and family therapy.
- (b) During the thousand hours of client contact, the applicant shall receive a minimum of two hundred hours face-to-face supervision by a supervisor whose training and experience meet the standards established in rule 4757-29-01(C) of the Administrative Code.
- (c) Of the required two hundred hours of face-to-face supervision a minimum of one hundred hours shall be individual supervision.

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

4757-25-03 Requirements for licensure as a marriage and family therapist:

The requirements for licensure as a licensed marriage and family therapist are generally set forth in paragraph (C) of section 4757.30 of the Revised Code.

~~(A) The applicant shall complete an application as prescribed in rule 4757-1-04 of the Administrative Code and submit the required fee established in rule 4757-1-05 of the Administrative Code.~~

~~(B) The applicant shall meet all of the following requirements:~~

- ~~(1) Has a degree which meets the requirements set forth in paragraph (A) of rule 4757-25-01 of the Administrative Code.~~
- ~~(2) Passed the marriage and family therapy examination approved by the board.~~

Effective: 09/20/2007

R.C. 119.032 review dates: 04/10/2009

Promulgated Under: 119.03

Statutory Authority: 4757.10

Rule Amplifies: 4757.30

Prior Effective Dates: 4-10-04

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

The requirements for licensure as a licensed independent marriage and family therapist are generally set forth in division (C) of section 4757.30 of the Revised Code.

~~(A) The applicant shall complete an application as prescribed in rule 4757-1-04 of the Administrative Code and submit the required fee established in rule 4757-1-05 of the Administrative Code.~~

~~(B) The applicant shall meet all of the following requirements:~~

- ~~(1) Has a degree which meets the requirements set forth in rule 4757-25-01 of the Administrative Code.~~
- ~~(2) Passed the marriage and family therapy examination approved by the board.~~
- ~~(3) After completion of the required education in paragraph (A) of rule 4757-25-01 of the Administrative Code, has completed at least two calendar years of work experience in marriage and family therapy that meets all of the following requirements:~~
 - ~~(a) The experience shall include a minimum of one thousand hours of documented client contact in marriage and family therapy.~~
 - ~~(b) During the thousand hours of client contact, the applicant shall receive a minimum of two hundred hours face-to-face supervision by a supervisor whose training and experience meet the standards established in paragraph (C) of rule 4757-29-01 of the Administrative Code.~~
 - ~~(c) Of the required two hundred hours of face-to-face supervision a minimum of one hundred hours shall be individual supervision.~~

Effective: 09/20/2007

R.C. 119.032 review dates: 04/10/2009

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 opportunity to take the examination required by the board for licensure set forth in section 4757.30 of the Revised Code or while awaiting the next board meeting.~~

(B) A temporary license may ~~only~~ be issued only if it is determined that, ~~except for passage of the examination required for the license sought,~~ 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 ~~must~~ submit a properly completed application, as prescribed by the board. ~~The application must include all of the following items:~~

~~(1) The license fees established in rule 4757-1-05 of the Administrative Code;~~

~~(2) Proof that the applicant has registered for the next examination for licensure required by the board pursuant to section 4757.30 of the Revised Code.~~

(D) A temporary license is valid from the date of issuance until the earliest of one of the following:

~~(1) The date the applicant withdraws from taking the examination;~~

~~(2) The date the applicant is notified that the applicant failed the examination;~~

~~(3)~~ (1) The date the applicant's license is issued under section 4757.30 of the Revised Code; or

~~(4) The date of the first available examination passes and the applicant does not take the examination.~~

(2) Ninety days after the temporary license has been issued.

(E) A temporary license may not be renewed. A ~~second~~ new temporary license shall be issued only in the event of documented substantial hardship as determined by the board.

HISTORY: Eff 4-10-04

Rule promulgated under: RC 119.03

Rule authorized by: RC 4757.10

Rule amplifies: RC 4757.30.1

RC 119.032 review date: 4/10/09

4757-25-06 Endorsement of a marriage and family therapist license.

(A) An applicant requesting licensure as a marriage and family therapist or independent marriage and family therapist via endorsement shall submit to the board all of the following:

(1) A completed licensure application for the level of licensure for which the applicant is seeking licensure;

(2) The required fee established by the board under paragraph (B) of rule 4757-1-05 of the Administrative Code;

(3) An official statement, which indicates applicant is currently licensed, certified, registered, or otherwise authorized to practice as a marriage and family therapist or independent marriage and family therapist in another jurisdiction;

(4) An official statement from any and all jurisdictions where the applicant is currently or has been previously licensed, certified, registered, or otherwise authorized to practice as a marriage and family therapist or independent marriage and family therapist indicating whether the applicant is in good standing and whether disciplinary action has been taken or is pending against the applicant;

(5) All transcripts of graduate education;

(6) If the applicant has taken another jurisdiction's marriage and family therapist exam, documentation of whether the applicant passed that exam; and

(7) Any additional documentation requested by the board that would assist the board in making a determination based on paragraphs (B)(1) to (B)(7) of this rule.

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

- (1) Whether the applicant possesses a master's and or doctor's degree in marriage and family therapy awarded by an appropriately accredited institution;
- (2) Whether the applicant possesses a master's and or doctor's degree in a related mental health field awarded by an appropriately accredited institution, ~~and~~ And the applicant has earned substantially equivalent marriage and family therapy coursework from an appropriately accredited institution subsequent to that degree that meets the requirements of division (A)(3)(b) of 4757.30 of the Revised Code and paragraph (A)(3) of rule 4757-25-01 of the Administrative Code;
- (3) Whether the applicant's coursework is substantially similar to the requirements in paragraph (A)(3) of rule 4757-25-01 of the Administrative Code;
- (4) Whether the applicant for independent marriage and family therapist has substantially equivalent supervised experience required by division (C) of 4757.30 of the Revised Code and paragraph (C)(3) of rule 4757-25-04 of the Administrative Code;
- (5) Whether the applicant has passed a state marriage and family therapist exam that is substantially similar to Ohio's examination;
- (6) Whether the applicant's license is currently in good standing in another jurisdiction and whether applicant has been disciplined in another jurisdiction; and
- (7) The number of years the applicant has practiced as a marriage and family therapist or independent marriage and family therapist worker in another jurisdiction.

Effective: 01/10/2008

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

Promulgated Under: 119.03

Statutory Authority: 4757.10

Rule Amplifies: 4757.18, 4757.30

Prior Effective Dates: 4/10/04

4757-29-01 Marriage and family therapy supervision.

This rule applies to all supervisees who are working toward licensure as independent marriage and family therapists and marriage and family therapists who are applying under rule 4757-25-04 of the Administrative Code. It also applies to marriage and family therapists who are diagnosing and treating mental and emotional disorders ~~working~~ under the supervision of an independently licensed mental health professional.

(A) Definition of supervision:

- (1) "Training supervision" is individual or group supervision applied to all individuals who are gaining the experience required for a license as an independent marriage and family therapist or under 4757-25-04 of the Administrative Code for a license as a marriage and family therapist. 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, and promote the professional development as a marriage and family therapist.
- (2) "Work supervision" is supervision required of marriage and family therapists ~~who are~~ whose practice includes the diagnosis and treatment of mental and emotional disorders, ~~working in a clinical setting~~. Marriage and family therapists shall disclose to their clients in writing that they are ~~working in a clinical setting~~ under the supervision of an appropriately licensed mental health professional when diagnosing and treating mental and emotional disorders. 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 a case related interactive face-to-face meeting with one supervisor and no more than six supervisees, which is different from psychotherapy or teaching.
- (4) "Individual supervision" is board approved supervision that consists of a case related interactive face-to-face meeting between one supervisor meeting with no more than two supervisees, which is different from psychotherapy or teaching.

(B) Training supervision purposes:

- (1) Provide for the protection of consumer and client welfare;
- (2) To provide that supervisees function within the limits of their competence;
- (3) To enhance professional development of a marriage and family therapist;
- (4) To provide training in activities relevant to the supervisee's position and academic background.

(C) Requirements for training:

- (1) All supervisees engaging in training supervision for licensure as independent marriage and family therapists shall be under supervision of one of the following:
 - (a) An "American Association for Marriage and Family Therapy (AAMFT) Approved Supervisor" who holds an Ohio license as an independent marriage and family therapist, a professional clinical counselor [with supervision designation](#), an independent social worker [with supervision designation](#), psychologist or psychiatrist;
 - (b) A licensed independent marriage and family therapist with three years post degree experience in the field of marriage and family therapy;
 - (2) Request for exceptions due to hardship shall be made in writing to the board. The supervisor shall have demonstrated competence in the area in which they are supervising and have training in legal and ethical issues relevant to marriage and family therapy.
 - (3) A training supervisee shall choose a training supervisor who has the academic training, experience and areas of competence to supervise trainees. Training supervisees may not choose a supervisor who is a family member or otherwise has a personal relationship with the supervisee.
 - (4) Marriage and family therapists who are registered with the board for training supervision ~~in a clinical setting~~ shall not collect fees in their own names [when being supervised in the diagnosis and treatment of mental and emotional disorders](#). All billings shall be done by the employing agency or the licensed supervisor.
 - (5) Individuals in the process of completing the supervised experience required for independent 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 as a marriage and family therapist or hold a temporary license as a marriage and family therapist.
 - (6) Supervised marriage and family therapist experience obtained out of state may count toward the supervised experience requirement. Applicants shall request this consideration in writing from the marriage and family therapist professional standards committee. Supervisees presenting supervision experience from another state shall provide documentation that the supervisor is equivalent to the requirements of (C)(1)(a) or (b) of this rule and 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.
 - (7) In the event that a supervisee is practicing under work supervision, the rules for training supervision will supersede the rules for work supervision.
- (D) Documentation of training supervision:
- (1) It is the responsibility of the supervisee to ensure that the supervisor and the experience meet the requirements of this rule.
 - (2) Records of training supervision shall be maintained by the supervisee and made available to the board upon request. The supervision records shall contain information concerning the dates of supervision, content and goals of supervision, and shall be signed off on by a supervisor at least quarterly.
 - ~~(3) Supervisees may request board pre-approval of the supervisor on a form provided by the board. Pre-approval is not required.~~
- (E) Work supervision of marriage and family therapists practicing in a clinical setting shall be under the supervision of an independent marriage and family therapist, a professional clinical counselor, an independent social worker with a clinical area of competence, a psychologist, or psychiatrist.

HISTORY: Eff 4-10-04; 9-20-07

Rule promulgated under: RC 119.03

Rule authorized by: RC 4757.10

Rule amplifies: RC 4757.30

RC 119.032 review date: 4/10/09



**Counselor, Social Worker &
Marriage and
Family Therapist Board**
50 West Broad Street, Suite 1075
Columbus, Ohio 43215-5919
614-728-5161 Fax 614-728-7790
jim.rough@cswb.state.oh.us

Memo

To: Board Members & Staff

From: James Rough

Date: May 12, 2009

Re: Five-Year Rule Review - Additions

The following rules listed are being changed with the five-year rule review process as approved by the professional standards committees or the board.

MFTPSC – Rule Addition

4757-25-07 Approval of applications for marriage and family therapist licenses.

SWPSC – Rule changes

- 4757-9-03 CE requirement for renewal of a: change for first renewal of a related degree to two social work college courses instead of specified number of hours for quarters and semesters.
- 4757-15-01 Scope of practice for professional counselor – add reference to 4757-5-02
- 4757-15-02 Scope of practice for a professional clinical counselor – add reference to 4757-5-02
- 4757-19-02 Requirements for licensure as an independent social worker: change to social worker qualifying supervised experience to become a LISW of at least 1500 hours and one year of clinical experience.
- 4757-19-05 Withdrew August filing and refilling with changes to paragraph (G) concerning SWT supervision.
- 4757-21-01 Scope of practice for a registered social work assistant – add reference to 4757-5-02
- 4757-21-02 Scope of practice for a social worker – add reference to 4757-5-02
- 4757-21-03 Scope of practice for an independent social worker: change to reflect LISW-S changes
- 4757-23-01 Better spell out supervision requirements for LSWs seeking LISW licensure.

CPSC – Rule Changes

4757-17-01 Counseling supervision: change to require clinical residents to maintain a log of supervision.

Rule 4757-17-01(F)(1)(e) The fifteen hundred hours shall include at least one supervision of supervision experience in which a PCC supervises a PC or CT under the supervision of a PCC-S. The supervised experience shall be for a minimum of five hours and consists of the applicant providing ten hours of supervision to at least one supervisee. The supervisor providing supervision of the supervision process shall be a professional clinical counselor with a supervising counselor designation. All supervision, and supervision of supervision addressed in this rule shall be face-to-face.

Input from licensee follows:

(e) The fifteen hundred hours shall include at least one supervision of supervision experience. The professional clinical counselor in training shall work with the same supervisor for at least 5 hours learning the skills to become a supervisor. The professional clinical counselor in training shall work (as a supervisor-in-training) with the same supervisee (licensee who needs supervision) for a minimum of 10

hours while learning from & working with a professional clinical counselor who has a supervising counselor designation. All supervision, and supervision of supervision addressed in this rule shall be face-to-face.

Definition Inconsistency:

4757-17-01(A) (3) "Group supervision" is board approved supervision that consists of not more than six supervisees for one supervisor.

4757-23-01(A)(2) (b) "Group supervision" means face-to-face contact between a supervisor and a small group (not to exceed six supervisees) in a private session wherein practice problems are dealt with that are similar in nature and complexity to all supervisees in the group.

4757-29-01(A) (3) "Group supervision" is board approved supervision that consists of a case related interactive face-to-face meeting with one supervisor and no more than six supervisees, which is different from psychotherapy or teaching.

Drafts of Rule Changes

MFTPSC Rule Change:

4757-25-07 Approval of applications for marriage and family therapist licenses.

Applications for marriage and family therapist licenses shall be approved per section 4757.30 of the Revised Code and this rule. The staff of the Board shall review all applications and process as follows:

(A) Applications that meet the basic requirements as detailed below shall be approved upon receipt of all applicable parts. All applications approved by staff shall be reviewed by the marriage and family therapist professional standards committee at the following meeting for quality control purposes.

(1) Applications for independent marriage and family therapist license that meet the basic requirements for licensure in section 4757.30 of the Revised Code and rule 4757-25-04 of the Administrative Code shall be approved if the following conditions are met:

(a) Process application for independent marriage and family therapist received with no questions requiring review by the board such as felony convictions, loss of license in another state, etc.

(b) Transcript provided directly from an accredited educational institution of a master's or doctoral degree in marriage and family therapy or related degree that meets rule 4757-25-01 (B) of the Administrative Code.

(c) Proof of completion of at least two years of post-master's degree marriage and family therapist experience supervised by a supervisor that meets paragraph (C)(1) of rule 4757-29-01 of the Administrative Code.

(d) Proof of passing an examination acceptable to the board for the purpose of determining ability to practice as an independent marriage and family therapist.

(2) Applications for marriage and family therapist license that meet the basic requirements for licensure in section 4757.30 of the Revised Code and rule 4757-25-03 of the Administrative Code shall be approved if the following conditions are met:

(a) Process application for marriage and family therapist received with no questions requiring review by the board such as felony convictions, loss of license in another state, etc.

(b) Transcript provided directly from an accredited educational institution of a master's or doctoral degree in marriage and family therapy or related degree that meets rule 4757-25-01 (B) of the Administrative Code.

(c) Proof of passing an examination acceptable to the board for the purpose of determining ability to practice as a marriage and family therapist.

(B) Complete applications that meet the following conditions shall be held for the marriage and family therapist professional standards committee review at the next regularly scheduled meeting, if received at least ten days prior to the meeting.

- [\(1\) All applications that have answered questions requiring review by the board such as felony convictions, loss of license in another state, etc.](#)
 - [\(2\) All applications with related degrees.](#)
 - [\(3\) All applications which staff is not comfortable approving without the marriage and family therapist professional standards committee's review.](#)
-

SWPSC Rule Changes:

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

(A) Except as required by paragraph (B) of this rule, all persons who hold a license or certificate of registration in social work as a condition of renewal of their license or certificate of registration, shall complete thirty clock hours of continuing professional education in social work as defined in division (C) of section 4757.01 of the Revised Code. Content areas for continuing education may include: social work theory; social work methods; human development and behavior; social welfare and policy; social work values and ethics; social work research; social work supervision; social work administration; and/or social work with special populations.

(B) Social workers with a degree from a program related to social work, as defined in rule 4757-19-01 of the Administrative Code, ~~as the continuing professional educational requirement of the first renewal of their license~~ shall complete for credit ~~a combined minimum of five semester hours, or eight quarter hours,~~ in a social work theory course and social work methods course at an accredited educational institution as the continuing professional educational requirement of the first renewal of their license. These courses shall be upper division or graduate level courses taken in social work departments in which the licensee received a grade of C- or higher. Fulfillment of this requirement is mandatory for the first renewal of their license. For subsequent renewals of their licenses, these individuals shall meet the requirements of paragraph (A) of this rule.

(C) For all renewals after January 1, 2004, three of the thirty hours shall be taken in social work ethics.

(D) For those independent social workers with supervising status, three of the thirty clock hours shall be in supervision.

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

Rule promulgated under: RC 119.03

Rule authorized by: RC 4757.10

Rule amplifies: RC 4757.33

R.C. 119.032 review dates: 6/17/2002 and 06/15/2007

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

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

(A) "Engage in the practice of professional counseling," means to render to individuals, groups, organizations, or the general public counseling services involving the application of clinical counseling principles, methods, or procedures to assist individuals in achieving more effective personal, social, educational, or career development and adjustment. The practice of professional counseling does not include the diagnosis and treatment of mental and emotional disorders unless the individual is licensed as a professional clinical counselor or is supervised by a professional clinical counselor, a psychologist, psychiatrist, or an independent social worker.

(B) "Apply clinical counseling principles, methods, and procedures," means an approach to counseling that emphasizes the counselor's role in systematically assisting clients through all of the following: Assessing and analyzing emotional conditions, exploring possible solutions, and developing and providing a treatment plan for mental and emotional adjustment or development. It may include counseling, appraisal, consulting, supervision, administration and referral.

(C) Provide diagnosis and treatment of mental and emotional conditions not attributable to mental and emotional disorders as defined in division (F) of section 4757.01 of the Revised Code.

(D) Engage in the diagnosis and treatment of mental and emotional disorders when under the supervision of a professional clinical counselor, psychologist, psychiatrist, or independent social worker.

(E) Provide training supervision for students and registered counselor trainees when services are within their scope of practice, which does not include supervision of the diagnosis and treatment of mental and emotional disorders.

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

Rule promulgated under: RC 119.03

Rule authorized by: RC 4757.21

Rule amplifies: RC 4757.21

119.032 Review Date: 6-17-02; 6-15-07

Replaces: 4757-13-02

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

Each licensee of the board has a personal professional scope of practice, which is determined by their education, training and supervised practice as defined in paragraph (A) of ethics rule 4757-5-02 of the Administrative Code. A

professional clinical counselor may for a fee, salary, or other considerations:

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

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

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

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

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

Rule promulgated under: RC 119.03

Rule authorized by: RC 4757.21

Rule amplifies: RC 4757.21

119.032 Review Date: 6-17-02; 6-15-07

Replaces: 4757-13-03

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

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

(A) That the applicant shall apply for a license in accordance with the provisions of rule 4757-01-04 of the Administrative Code; and,

(B) The applicant shall include with the application the required fee per paragraph (D) of rule 4757-1-05 of the Administrative Code.

(C) That the applicant have:

(1) A master's degree in social work, or a doctoral degree in social work; and,

(2) Two years of supervised social work experience: defined as follows:

(a) "Two years employment experience" means at least two complete years supervised experience which includes three thousand hours of work for a fee or salary, during which time the applicant was engaged in the practice of social work and held licensure as a social worker; except that no applicant may be credited with more than fifteen hundred hours of experience during any twelve-month period;

(b) Any supervised experience obtained after October 10, 1986, in the state of Ohio must be supervised by an independent social worker.

(c) The dates that the supervised experience was obtained, not the date of application, will determine the type of acceptable experience required for an applicant to be licensed as a licensed independent social worker.

(d) Applications received after June 30, 2011 shall require that at least fifteen hundred of the supervised hours and one year in paragraph (C)(2)(a) of this rule shall be in a clinical setting, which consists of

face-to-face client contact involving the delivery of direct social work services, which includes the diagnosis and treatment of mental and emotional disorders or assessment and intervention.

- (3) That the applicant pass the examination meeting the requirements established by the social work professional standards committee to determine the applicant's ability to be an independent social worker.

Applicants shall be pre-approved to take the examination per rule 4757-19-04 of the Administrative Code.

(D) Per section 4757.27(A), an independent social worker license shall clearly indicate each academic degree earned by the person to whom it is issued. Independent social worker wall certificates shall be prepared using the following acronyms for the degrees noted and only those earned as of the date of issuance. All bachelor's, master's and doctorate's shall be listed. Licensees or registrants may not use a doctorate designation in their professional capacity unless it is related to the field of mental health and is from a recognized accredited educational institution.

- (1) Bachelor of arts - major social work or a related degree shall be "BA".
- (2) Bachelor of social work - major social work shall be "BSW".
- (3) Bachelor of science in social work - major social work shall be "BSSW".
- (4) Bachelor of science - major social work or a related degree shall be "BS".
- (5) Master of social work - major social work shall be "MSW".
- (6) Master of arts - major social service administration shall be "MASSA".
- (7) Master of science - in social administration major in social work shall be "MSSA".
- (8) Master of arts - major social work related degree shall be "MA".
- (9) Master of science - major social work related degree shall be "MS".
- (10) Doctorate of social work - major in social work shall be "DSW".
- (11) Doctor of Philosophy - major in social work shall be "PhD".
- (12) Doctorate of related area of mental health - related area of mental health majors shall be "PhD-Other".

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

Rule promulgated under: RC 119.03

Rule authorized by: RC 4757.27

Rule amplifies: RC 4757.27

119.032 Review Date: 9-20-12

Replace: 4757-7-04

4757-19-05 Social worker trainee applications.

Registration of training supervision shall be only for master's level students from council on social work education "CSWE" accredited programs ~~that who~~ are not licensed as social workers. The purpose of social worker trainee status is to aid non-licensed master's level social work students to acquire field placement at an agency. Students are not required to have social worker trainee status to complete their field placement requirements, including the provision of supervised psychosocial interventions, but may be required to obtain registration as a social worker trainee by the supervising agency as a condition of acceptance for field placement. A student may also voluntarily choose to obtain registration. Applicants shall: ~~Applicants for trainee status shall complete the board online application or request form. In order to be approved one of the following documents shall be required.~~

(A) Be of good moral character.

(B) Complete a criminal records check per paragraph (E) of rule 4757-1-04 of the Administrative Code.

~~(A)~~ (C) Provide proof of enrollment in a master's level field education course (practicum/internship/field work). A copy of the university's online enrollment document shall be acceptable; or a letter, email or facsimile from the professor, social work office or registrar stating the applicant is enrolled.

~~(B)~~ (D) Applicants shall document Document proof of enrollment registration using the board's online license verification system at <https://license.ohio.gov>. Trainee status shall be active only within the dates displayed on that system. The dates of that registration shall be up to one month ~~four weeks~~ past the end of the term enrolled.

~~(C)~~ (E) Applicants enrolling for a subsequent field education course need not re-apply, but shall provide Provide - proof of enrollment as specified in paragraph (A) of this rule for their existing registration to be extended through the dates of that course.

(F) Have the same scope of practice as a licensed social worker in rule 4757-21-02 of the Administrative Code.

(G) Be supervised at a field placement by a licensed social worker with a master's degree in social work, a licensed independent social worker or a licensed social worker with a supervision designation.

(H) Social worker trainee status is not a substitute for licensure and is only valid at the school approved field placement site(s) where the student is completing his or her field placement through the dates listed on the board's online license verification system.

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 license. Each licensee of the board has a personal professional scope of practice, which is determined by their education, training and supervised practice as defined in paragraph (A) of ethics rule 4757-5-02 of the Administrative Code.

(A) An independent social worker may perform for a fee, salary or other consideration, counseling, psychosocial interventions, and social psychotherapy without supervision in an agency setting, as a private practitioner, or as an independent contractor.

(B) The scope of practice for an independent social workers may include those duties ~~as described in table B of this rule paragraph.~~

Table B: Scope of Practice

Range of duties

- (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 ~~work~~ clinical supervision of registered social worker trainees unless they are diagnosing and treating mental and emotional disorders, ~~assistant social work-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; ~~and training supervision for social workers and registered social worker trainees.~~

(C) The scope of practice for independent social workers with supervisory designation may include those duties described in this paragraph.

- (1) Psychosocial assessment: intervention planning, psychosocial intervention, and social psychotherapy, which includes the diagnosis and treatment of mental and emotional disorders and counseling.
- (2) Program assessment, planning, and development, program implementation and evaluation.
- (3) Organizational assessment, planning and development, intervention, accountability, and supervision.
- (4) Specialized problem-oriented assessment, specialized project or case-oriented planning, specialized intervention, evaluation of consultation activities, provide training supervision for social workers seeking licensure as independent social workers.
- (5) Provide clinical supervision of registered social worker trainees, social work 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 worker trainees and 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.

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

Rule promulgated under: RC 119.03

Rule authorized by: RC 4757.26

Rule amplifies: RC 4757.26

Replaces: 4757-15-03

119.032 Review Date: 6-17-02; 6-15-07

4757-23-01 Social work supervision.

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

(A) Definitions of social work supervision:

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

(B) Clinical supervision requirements.

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

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

- (1) Have demonstrated competence in the area in which they are supervising;
- (2) Have training in supervision theory and practice;
- (3) Have training in legal and ethical issues relevant to counseling, psychosocial interventions and social psychotherapy;
- (4) Complete and forward to the board all supervision evaluation forms required by the board within thirty days of receipt of the form from a supervisee.

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

- (1) One hour of individual and/or group supervision for each twenty hours of work by the supervisee with no less than one hundred and fifty hours total.
- (2) Employment experience obtained after October 10, 1986, that is required for licensure as an independent social worker, shall be supervised by a independent social worker.
- (3) Records of training supervision shall be maintained by the supervisee and made available to the board upon request. The supervision records shall contain information concerning the dates of supervision, content and goals of supervision. The supervisor shall sign the supervision records at least quarterly to document their review.
- ~~(4) No business relationship for profit between a supervisor and a supervisee except as an employee of said supervisor if the experience is to be counted toward the fulfillment of the licensure requirement unless a specific exemption has been granted in writing by the committee prior to the beginning of the training experience.~~
- (5) There shall be no direct family relationship between the supervisor and the supervisee if the experience is to be counted toward the fulfillment of the licensure requirement.
- (6) Certification that the requirements of this rule have been met shall be submitted by the applicant on a form designated by the board at time of licensure application.
- (7) If the training supervision is occurring in Ohio, the supervisee and the supervisor shall be licensed in Ohio.

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

(1) After September 1, 2008, only independent social workers who have obtained a supervisory designation shall provide training supervision. Requests for exceptions to this rule for training supervision, due to hardship, shall be made in writing to the board.

(a) Applicants for supervisory designation after September 1, 2008 shall apply on forms required by the board and shall document at least the following requirements.

- (i) One year post licensure experience as an independent social worker; and
- (ii) Training in supervision of at least nine hours of continuing education in committee approved supervision programs or one master's level supervision course, which shall be completed as follows: between the date the applicant received the independent social worker and the date the applicant is applying for the supervision designation using continuing education training; or complete a master's level supervision course from an accredited university within the last three years.

(b) The board shall waive the requirements in paragraph (1)(a)(i) and (ii) of this rule for existing licensed independent social workers who apply prior to September 1, 2008 for the supervisory designation.

(2) All supervising independent social workers shall maintain supervisory status by obtaining three hours of social workers professional standards committee approved continuing professional education in supervision or a master's level course in supervision each renewal period.

(3) If the minimum of nine hours of academic preparation is continuing education coursework, it shall be board approved. The continuing education coursework in social work training supervision shall include each area as follows:

- (a) The coursework shall total nine clock hours of didactic and interactional instruction; and
- (b) The coursework shall contain content that satisfies the following learning objectives:
 - (i) The participant will become familiar with the major models of supervision for social work;
 - (ii) Gain skills to develop a personal model of supervision, drawn from existing models of supervision;
 - (iii) Understand the co-evolving dynamics of licensee-client and supervisor-licensee-client relationships;
 - (iv) Explore distinctive issues that arise in supervision;
 - (v) Address the contextual variables in practice such as culture, gender, ethnicity, power and economics;
 - (vi) Become familiar with the ethical, legal and regulatory issues of supervision; and
 - (vii) Understand the role of evaluation in supervision.

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

Rule promulgated under: RC 119.03

Rule authorized by: RC 4757.27

Rule amplifies: RC 4757.27

R.C. 119.032 review dates: 06/15/2007 and 9/20/12

CPSC Rule Changes:

4757-17-01 Counseling supervision.

This rule applies to all professional counselors registered as clinical residents who are working toward licensure as professional clinical counselors and counselor trainees seeking licensure under rules 4757-13-01, 4757-13-03 and 4757-13-04 of the Administrative Code. This rule also applies to professional counselors who are diagnosing and treating mental and emotional disorders under the work supervision of an independently licensed mental health professional.

(A) Definition of supervision:

- (1) "Training supervision" is supervision of all individuals who are gaining the experience required for a license as a professional clinical counselor, or a license as a professional counselor under rule 4757-13-01 or 4757-13-04 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.

- (2) "Work supervision" is supervision required of professional counselors who are engaging in the diagnosis and treatment of mental and emotional disorders and who are not registered with the board for training purposes. Professional counselors shall disclose to their clients in writing that they are engaging in the diagnosis and treatment of mental and emotional disorders under the supervision of an appropriately licensed mental health professional. The supervisee shall also disclose to their clients in writing the name(s) of the said professional(s).
- (3) "Group supervision" is board approved supervision that consists of not more than six supervisees for one supervisor.

(B) Purposes of training supervision:

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

(C) Requirements pertaining to training supervision:

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

(D) Registration of training supervision for those seeking professional clinical counselor licensure:

- (1) A written training supervision agreement, on a form designated by the board, shall be filed with the board at the beginning the training experience. All applications for clinical resident shall be made per procedures established by the counselor professional standards committee. Changes per paragraph (D)(4) of this rule to the clinical resident status shall be made in the manner required by the counselor professional standards

- committee. The status of these applications shall not be "active" until the supervision documentation is complete in its entirety and shall be verified from the board online license verification system.
- (2) This form shall be used to obtain "clinical resident" status as defined in paragraph (S) of rule 4757-3-01 of the Administrative Code to enable the clinical resident to accumulate and document hours toward professional clinical counselor licensure.
 - (3) Filing of the written training supervision agreement with the board shall be the sole responsibility of the licensee or registrant.
 - (4) Records of training supervision shall be maintained by the supervisee and made available to the board upon request. The supervision records shall contain information concerning the dates/times of supervision (e.g. 8-19-08 from 2:00-3:00 p.m.), content and goals of supervision and shall be signed by the supervisor at least quarterly.
- (45) In the event that it is necessary for the supervisee to change or add supervisors, sites or duties the supervisee shall be responsible to contact the board within thirty days of such a change and provide the following information:
- (a) Notification of a change or addition to supervisors, sites, duties, licensure, or registration renewal status of either supervisor, clinical resident or professional counselor license of the clinical resident; and
 - (b) Clinical residents shall partially complete a "supervision evaluation and verification" form with data elements required from supervisee within thirty days of changing supervisors and provide that form for final completion by their former supervisor to document hours accrued. The supervisor shall complete that form and submit it to the board within thirty days of receipt from the supervisee.
- (E) Registration of training supervision for practicum or internship for counselor trainee status:
- (1) Students enrolled in a practicum or internship prior to receiving their counseling degree are eligible for "counselor trainee" status as defined in paragraph (T) of rule 4757-3-01 of the Administrative Code, if they are doing so in Ohio. Applicants for counselor trainee status shall apply on a form specified by the board and provide proof of enrollment in a master's level practicum or internship course. A copy of the university's online enrollment document shall be acceptable; or a letter, email or facsimile from the professor, counseling office or registrar stating the applicant is enrolled. The status of these applications shall not be made "active" until the form is completed properly and the board receives email confirmation from the supervisor. Counselor trainees shall be supervised by professional clinical counselors with supervision designation when diagnosing and treating mental and emotional disorders.
 - (a) Applicants shall document proof of counselor trainee status using the board's online license verification system at <https://license.ohio.gov>. Trainee status shall be active only within the dates displayed on that system. The dates of that registration shall be up to four weeks past the end of the term enrolled.
 - (b) Applicants enrolling for a subsequent practicum or internship course need not complete a new application, but shall provide proof of enrollment as specified in paragraph (E)(1) of this rule for their existing registration to be extended through the dates of that course. A separate application may be required for practicum and internship.
 - (2) Individuals seeking training supervision under paragraph (B)(2) of rule 4757-13-04 of the Administrative Code are eligible for "counselor trainee" status as defined in paragraph (T) of rule 4757-3-01 of the Administrative Code. These individuals shall file an application with the board online for counselor trainee status. In order to be approved the following shall be required:
 - (a) A written training supervision agreement, on a form designated by the board, shall be confirmed by the training supervisee and training supervisor and filed with the board. The application is required within thirty days of starting the supervised experience for that experience to be accepted by the board; and
 - (b) Proof of eligibility via transcript showing a conferred master's degree in counseling that meets the requirements of rule 4757-13-04 of the Administrative Code earned prior to September 18, 1998. A student copy shall be acceptable, however, a transcript received directly from the college or university shall be required for licensure.
 - (c) Applicants engaging a new supervisor or extending a supervisory agreement need not complete a new application, but shall provide proof of supervision as specified in paragraph (E)(2)(a) of this rule for their existing registration to be extended through the dates requested or modified for the new supervisor.
 - (3) Ensuring the counselor trainee is properly registered and listed on the licensure web site <https://license.ohio.gov> is primarily the responsibility of the counselor trainee, but shall be monitored by the work place supervisor or agency at time of placement and subsequent extensions of counselor trainee status.

- (F) Requirements for applying for a supervising counselor designation.
- (1) Professional clinical counselors or professional counselors applying for supervising counselor status shall meet the following minimum requirements after August 31, 2008.
 - (a) Document a minimum of twenty-four hours of academic preparation or board approved continuing education coursework in counselor supervision training including training six hours in each area as follows:
 - (i) Assessment, evaluation and remediation which includes initial, formative and summative assessment of supervisee knowledge, skills and self-awareness; components of evaluation e.g. evaluation criteria and expectations, supervisory procedures, methods for monitoring (both direct and indirect observation) supervisee performance, formal and informal feedback mechanisms, and evaluation processes (both summative and formative), and processes and procedures for remediation of supervisee skills, knowledge, and personal effectiveness and self-awareness;
 - (ii) Counselor development which includes models of supervision, learning models, stages of development and transitions in supervisee/supervisor development, knowledge and skills related to supervision intervention options awareness of individual differences and learning styles of supervisor and supervisee, awareness and acknowledgement of cultural differences and multicultural competencies needed by supervisors, recognition of relational dynamics in the supervisory relationship, and awareness of the developmental process of the supervisory relationship itself;
 - (iii) Management and administration which includes organizational processes and procedures for recordkeeping, reporting, monitoring of supervisee's cases, collaboration, research and evaluation; 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) The board shall waive the requirements in paragraphs (F)(1)(a)(i) to (F)(1)(a)(iv) and (F)(1)(e) of this rule for existing professional counselors and professional clinical counselors who apply prior to September 1, 2008 for the supervisory if designation they meet the other requirements of paragraph (F) of this rule. These applicants shall complete a minimum of ten hours of academic preparation or board approved continuing education coursework in counselor supervision training.
 - (c) Each professional clinical counselor shall obtain a minimum of one year and fifteen hundred hours of clinical experience, post professional clinical counselor licensure, which shall include the diagnosis and treatment of mental and emotional disorders.
 - (d) Each professional counselor shall obtain four thousand five hundred hours experience post licensure including, but not limited to, work in areas such as career counseling, personal growth, supervised diagnosis and treatment of mental and emotional disorders, etc. All supervision of diagnosis and treatment of mental and emotional disorders shall be per section 4757.21 of the Revised Code and rules 4757-15-01 and 4757-15-02 of the Administrative Code.
 - (e) ~~The fifteen hundred hours shall include at least one supervision of supervision experience, which has been supervised for a minimum of five hours and consists of the applicant providing ten hours of supervision to at least one supervisee. The supervisor providing supervision of the supervision process shall be a professional clinical counselor with a supervising counselor designation.~~ The fifteen hundred hours shall include at least one supervision of supervision experience. The professional clinical counselor in training shall work with the same supervisor for at least five hours learning the skills to become a supervisor. The professional clinical counselor in training shall work (as a supervisor-in-training) with the same supervisee (licensee who needs supervision) for a minimum of 10 hours while learning from & working with a professional clinical counselor who has a supervising counselor designation. All supervision, and supervision of supervision addressed in this rule shall be face-to-face.

- (f) Comply with all current or future association for counseling education and supervision "ACES" and American counseling association "ACA" ethical standards pertaining to the supervisory relationship.
 - (g) Document applicant's familiarity with significant legal, ethical, and clinical issues relevant to the supervisory relationship on a form prescribed by the board.
- (2) All supervising counselors shall maintain supervising counselor status by obtaining six hours of counselor professional standards committee approved continuing professional education in supervision. Three of the required six hours may be met through a minimum of six hours of peer supervision, which shall address one or more core supervision content requirements and shall be with other licensed mental health providers, and shall be documented as such, including participants' names, topics discussed and dates met.
- (3) Professional counselors and professional clinical counselors engaged in training supervision shall be called "supervising counselors" per paragraphs (Q)(8) and (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.

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

Rule promulgated under: RC 119.03

Rule authorized by: RC 4757.10, 4757.22, 4757.23

Rule amplifies: RC 4757.22, 4757.23

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

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

(A) Except as required by paragraph (B) of this rule, all persons who hold a license or certificate of registration in social work as a condition of renewal of their license or certificate of registration, shall complete thirty clock hours of continuing professional education in social work as defined in division (C) of section 4757.01 of the Revised Code. Content areas for continuing education may include: social work theory; social work methods; human development and behavior; social welfare and policy; social work values and ethics; social work research; social work supervision; social work administration; and/or social work with special populations.

(B) Social workers with a degree from a program related to social work, as defined in rule 4757-19-01 of the Administrative Code, as the continuing professional educational requirement of the first renewal of their license shall complete for credit ~~a combined minimum of five semester hours, or eight quarter hours, in~~ **two courses**, a social work theory course and social work methods course, at an accredited educational institution. These courses shall be upper division or graduate level courses taken in social work departments in which the licensee received a grade of C- or higher. Fulfillment of this requirement is mandatory for the first renewal of their license. For subsequent renewals of their licenses, these individuals shall meet the requirements of paragraph (A) of this rule.

(C) For all renewals after January 1, 2004, three of the thirty hours shall be taken in social work ethics.

(D) For those independent social workers with supervising status, three of the thirty clock hours shall be in supervision.

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

Rule promulgated under: RC 119.03

Rule authorized by: RC 4757.10

Rule amplifies: RC 4757.33

R.C. 119.032 review dates: 6/17/2002 and 06/15/2007

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

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

(A) That the applicant shall apply for a license in accordance with the provisions of rule 4757-01-04 of the Administrative Code; and,

(B) The applicant shall include with the application the required fee per paragraph (D) of rule 4757-1-05 of the Administrative Code.

(C) That the applicant have:

(1) A master's degree in social work, or a doctoral degree in social work; and,

(2) Two years of supervised social work experience: defined as follows:

(a) "Two years employment experience" means at least two complete years supervised experience which includes three thousand hours of work for a fee or salary, during which time the applicant was engaged in the practice of social work and held licensure as a social worker; except that no applicant may be credited with more than fifteen hundred hours of experience during any twelve-month period;

(b) Any supervised experience obtained after October 10, 1986, in the state of Ohio must be supervised by an independent social worker-;

(c) The dates that the supervised experience was obtained, not the date of application, will determine the type of acceptable experience required for an applicant to be licensed as a licensed independent social worker-; and

(d) Applications received after January 1, 2010 shall require that at least fifteen hundred of the supervised hours and one year in paragraph (C)(2)(a) of this rule shall be in a clinical setting of which a minimum of fifty per cent of the work consists of face-to-face client contact involving the delivery of clinical social work services, which include the diagnosis and treatment of mental and emotional disorders.

(d) Applications received after June 30, 2011 shall require that at least fifteen hundred of the supervised hours and one year in paragraph (C)(2)(a) of this rule shall be in a setting, which consists of face-to-face client contact involving the delivery of direct social work services which includes the diagnosis and treatment of mental and emotional disorders or assessment and intervention.

(3) That the applicant pass the examination meeting the requirements established by the social work professional standards committee to determine the applicant's ability to be an independent social worker.

Applicants shall be pre-approved to take the examination per rule 4757-19-04 of the Administrative Code.

(D) Per section 4757.27(A), an independent social worker license shall clearly indicate each academic degree earned by the person to whom it is issued. Independent social worker wall certificates shall be prepared using the following acronyms for the degrees noted and only those earned as of the date of issuance. All bachelor's, master's and doctorate's shall be listed. Licensees or registrants may not use a doctorate designation in their professional capacity unless it is related to the field of mental health and is from a recognized accredited educational institution.

- (1) Bachelor of arts - major social work or a related degree shall be "BA".
- (2) Bachelor of social work - major social work shall be "BSW".
- (3) Bachelor of science in social work - major social work shall be "BSSW".
- (4) Bachelor of science - major social work or a related degree shall be "BS".
- (5) Master of social work - major social work shall be "MSW".
- (6) Master of arts - major social service administration shall be "MASSA".
- (7) Master of science - in social administration major in social work shall be "MSSA".
- (8) Master of arts - major social work related degree shall be "MA".
- (9) Master of science - major social work related degree shall be "MS".
- (10) Doctorate of social work - major in social work shall be "DSW".
- (11) Doctor of Philosophy - major in social work shall be "PhD".
- (12) Doctorate of related area of mental health - related area of mental health majors shall be "PhD-Other".

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

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

(B) A registered social work assistant may [under the direct supervision of an independent social worker, social worker, professional clinical counselor, professional counselor, a psychologist, a psychiatrist, or a registered nurse who holds a master's degree in psychiatric nursing](#) perform for a fee, salary, or other consideration, human services, social services and community services that may include but not limited to: ~~intake, assessment and referral, screening, crisis intervention and resolution; community support, case management and outreach, record keeping, social assessment, visual observation of person in environment, assist in facilitation with groups and families, advocacy; orientation, education and prevention services under the direct supervision of an independent social worker, social worker, professional clinical counselor, professional counselor, a psychologist, a psychiatrist, or a registered nurse who holds a master's degree in psychiatric nursing.~~

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

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

Rule promulgated under: RC 119.03

Rule authorized by: RC 4757.26

Rule amplifies: RC 4757.26

R.C. 119.032 review dates: 6/17/2002 and 06/15/2007

4757-21-02 Scope of practice for a social worker.

Using the definition of social work as defined in division (c) of section 4757.01 of the Revised Code, the board adopts the following scope of practice for a social worker. [Each licensee of the board has a personal professional scope of practice, which is determined by their education, training and supervised practice as defined in paragraph \(A\) of ethics rule 4757-5-02 of the Administrative Code.](#)

(A) A social worker may perform for a fee, salary, or other consideration, counseling and psychosocial interventions without supervision; and social psychotherapy under the supervision of an independent social worker, a professional clinical counselor, a psychologist, a psychiatrist, or a registered nurse with a master's degree in psychiatric nursing.

(B) When practicing as an employee of a private individual, partnership, or group practice, a social worker may perform for a fee, salary, or other consideration, counseling, psychological interventions, and social psychotherapy only if supervised by an independent social worker, a clinical counselor, a psychologist, a psychiatrist or a registered nurse with a master's degree in psychiatric nursing.

(C) A social worker may practice as an independent contractor.

(D) The scope of practice for a social worker may include [the following range of psychosocial duties](#); ~~those duties described in table A of this rule~~

- (1) [Intervention planning](#);
- (2) [Psychosocial intervention](#);
- (3) [Counseling](#);
- (4) [Social psychotherapy under supervision](#); and
- (5) [Evaluation](#).

Table A: Scope of Practice

~~Range of Psychosocial assessment~~

~~Duties: Intervention planning~~

~~Psychosocial intervention~~

~~Counseling~~

~~Social psychotherapy under supervision~~

~~Evaluation~~

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

Rule promulgated under: RC 119.03

Rule authorized by: RC 4757.26

Rule amplifies: RC 4757.26

119.032 Review Date: 6-17-02; 6-15-07

Replaces: 4757-15-02

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 licensee of the board has a personal professional scope of practice, which is determined by their education, training and supervised practice as defined in paragraph \(A\) of ethics rule 4757-5-02 of the Administrative Code.](#)

(A) An independent social worker may perform for a fee, salary or other consideration, counseling, psychosocial interventions, and social psychotherapy without supervision in an agency setting, as a private practitioner, or as an independent contractor.

(B) The scope of practice for an independent social workers may include those duties as described [in the subparagraphs that follow](#) in table B of this rule.

Table B: Scope of Practice

Range of duties

- (1) Psychosocial assessment: intervention planning, psychosocial intervention, and social psychotherapy, which includes the diagnosis and treatment of mental and emotional disorders and counseling.
- (2) Program assessment, planning, and development, program implementation and evaluation.
- (3) Organizational assessment, planning and development, intervention, accountability, and supervision.
- (4) Specialized problem-oriented assessment, specialized project or case-oriented planning, specialized intervention, evaluation of consultation activities, provide training supervision for social workers seeking licensure as independent social workers.
- (5) Provide [clinical](#) supervision of [registered social worker trainees unless they are diagnosing and treating mental and emotional disorders](#), social [worker assistants](#), social workers, professional counselors, and marriage and family therapists; and supervision of chemical dependency counselors and prevention specialists as specified in chapter 4758. of the Revised Code.

(C) [The scope of practice for an independent social workers with supervision designation may include those duties as described in table C of this rule.](#)

- (1) Psychosocial assessment; intervention planning, psychosocial intervention, and social psychotherapy, which includes the diagnosis and treatment of mental and emotional disorders and counseling.
- (2) Program assessment, planning, and development, program implementation and evaluation.
- (3) Organizational assessment, planning and development, intervention, accountability, and supervision.
- (4) Specialized problem-oriented assessment, specialized project or case-oriented planning, specialized intervention, evaluation of consultation activities, provide training supervision for social workers seeking licensure as independent social workers.
- (5) Provide clinical supervision of registered social worker trainees, social worker assistants, social workers, 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 worker trainees and 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.

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

Rule promulgated under: RC 119.03

Rule authorized by: RC 4757.26

Rule amplifies: RC 4757.26

Replaces: 4757-15-03

119.032 Review Date: 6-17-02; 6-15-07