



Ohio Administrative Code

Rule 4758-6-01 Scope of practice for chemical dependency counselor assistants (CDCA).

Effective: April 1, 2024

(A) An individual holding a valid chemical dependency counselor assistant certificate may do both of the following in addition to practicing substance use disorder counseling:

Perform treatment planning, assessment, crisis intervention, individual, family, and group counseling, case management, and education services as they relate to behavioral health conditions related to substance use disorder.

(B) An individual holding a valid chemical dependency counselor assistant certificate may practice substance use disorder counseling and perform the tasks specified in paragraph (A) of this rule only while under the supervision of any of the following:

(1) An independent chemical dependency counselor-clinical supervisor, independent chemical dependency counselor or chemical dependency counselor III licensed under this chapter;

(2) An individual authorized under Chapter 4731. of the Revised Code to practice medicine and surgery or osteopathic medicine and surgery;

(3) A psychologist licensed under Chapter 4732. of the Revised Code;

(4) A registered nurse licensed under Chapter 4723. of the Revised Code if such supervision is consistent with the scope of practice of the registered nurse, or an individual authorized to practice as a certified nurse practitioner or clinical nurse specialist under Chapter 4723. of the Revised Code;

(5) A professional clinical counselor, independent social worker, or independent marriage and family therapist licensed under Chapter 4757. of the Revised Code if such supervision is consistent with the scope of practice of the professional clinical counselor, independent social worker, or independent marriage and family therapist.



(C) A chemical dependency counselor assistant may not practice as an individual practitioner.



Ohio Administrative Code

Rule 4758-6-03 Scope of practice for licensed chemical dependency counselors II (LCDC II).

Effective: July 3, 2023

(A) In addition to practicing substance use disorder counseling, an individual holding a valid chemical dependency counselor II license may do all of the following:

(1) Perform treatment planning, assessment, crisis intervention, individual , group and family counseling, case management and education services as they relate to substance use disorders ;

(2) Provide treatment services identified and listed in rule 5122-29 of the Administrative Code as they relate to substance use disorders.

(3) Refer individuals with without substance use disorder conditions to appropriate sources of help.

(B) A chemical dependency counselor II may not practice as an individual practitioner.

(C) A chemical dependency counselor II may not provide clinical supervision.

(D) A chemical dependency counselor II scope of practice does not include diagnosis.

(E) An individual holding a valid chemical dependency counselor II license may practice substance use disorder counseling and perform the tasks specified in paragraph (A) of this rule only while under the supervision of any of the following:

(1) An independent chemical dependency counselor-clinical supervisor, independent chemical dependency counselor or chemical dependency counselor III licensed under this chapter;

(2) An individual authorized under Chapter 4731. of the Revised Code to practice medicine and surgery or osteopathic medicine and surgery;

(3) A psychologist licensed under Chapter 4732. of the Revised Code;



(4) A registered nurse licensed under Chapter 4723. of the Revised Code if such supervision is consistent with the scope of practice of the registered nurse, or an individual authorized to practice as a certified nurse practitioner or clinical nurse specialist under Chapter 4723. of the Revised Code;

(5) A professional clinical counselor, independent social worker, or independent marriage and family therapist under Chapter 4757. of the Revised Code if such supervision is consistent with the scope of practice of the professional clinical counselor, independent social worker, or independent marriage and family therapist.



Ohio Administrative Code

Rule 4758-6-04 Scope of practice for licensed chemical dependency counselors III (LCDC III).

Effective: April 1, 2024

(A) In addition to practicing substance use disorder counseling, an individual holding a valid chemical dependency counselor III license may do all of the following:

- (1) Diagnose substance use disorder conditions in accordance with section 4758.56 of the Revised Code;
- (2) Treat substance use disorder conditions;
- (3) Perform treatment planning, assessment, crisis intervention, individual, family, and group counseling, case management, and education services as they relate to behavioral health conditions related to substance use disorder;
- (4) Provide clinical supervision of substance use disorder counseling in accordance with section 4758.56 of the Revised Code.

(B) A chemical dependency counselor III may not practice as an individual practitioner.



Ohio Administrative Code

Rule 4758-6-05 Scope of practice for licensed independent chemical dependency counselors (LICDC).

Effective: April 1, 2024

In addition to practicing substance use disorder counseling, an individual holding a valid independent chemical dependency counselor license may do all of the following:

(A) Diagnose and treat substance use disorder conditions;

(B) Perform treatment planning, assessment, crisis intervention, individual, family, and group counseling, case management and education services as they relate to behavioral health conditions related to substance use disorder;

(C) Provide clinical supervision of substance use disorder counseling in accordance with section 4758.55 of the Revised Code.



Ohio Administrative Code

Rule 4758-6-06 Scope of practice for licensed independent chemical dependency counselors-clinical supervisors (LICDC-CS).

Effective: July 3, 2023

In addition to practicing substance use disorder counseling, an individual holding a valid independent chemical dependency counselor license may do all of the following:

- (A) Diagnose and treat substance use disorder conditions;
 - (B) Perform treatment planning, assessment, crisis intervention, individual, group and family counseling, case management and education services as they relate to substance use disorder;
 - (C) Provide treatment services identified and listed in Chapter 5122-29 of the Administrative Code as they relate to substance use disorder;
 - (D) Provide clinical supervision of substance use disorder counseling and diagnosing and treating substance use disorder conditions;
 - (E) Supervise treatment services identified and listed in Chapter 5122-29 as they relate to substance use disorder;
 - (F) Refer individuals with without substance use disorder conditions to appropriate sources of help.
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Ohio Administrative Code

Rule 4758-6-07 Scope of practice for registered applicants (RA).

Effective: July 12, 2024

(A) An individual holding a valid registered applicant certificate may:

(1) Perform the following prevention services only while under supervision of anyone listed in paragraph (B) of this rule:

(a) Information dissemination,

(b) Prevention education,

(c) Communication,

(d) Alternatives, and

(e) Problem identification and referral.

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(B) An individual holding a valid registered applicant certificate may perform the prevention services specified in paragraph (A) of this rule only while under the supervision of any of the following:

(1) A prevention consultant or prevention specialist certified under Chapter 4758. of the Revised Code;

(2) An individual authorized under Chapter 4731. of the Revised Code to practice medicine and surgery or osteopathic medicine and surgery;

(3) A psychologist licensed under Chapter 4732. of the Revised Code



(4) A registered nurse licensed under Chapter 4723. of the Revised Code or an individual authorized to practice as a certified nurse practitioner or clinical nurse under Chapter 4723. of the Revised Code;

(5) An independent social worker, and a social worker, licensed under Chapter 4757. of the Revised Code;

(6) A school counselor licensed by the department of education pursuant to section 3319.22 of the Revised Code;

(7) A health education specialist certified by the national commission for health education credentialing.

(C) An individual holding a valid registered applicant certificate may:

(1) Engage in the following only while under supervision of anyone listed in paragraph (D) of this rule:

(a) Planning and evaluation,

(b) Community based processes,

(c) Environmental strategies, and

(d) Professional growth and responsibilities.

(D) An individual holding a valid registered applicant certificate may engage prevention strategies and activities listed in paragraph (C) of this rule only while under the supervision of any of the following:

(1) A prevention consultant or prevention specialist certified under Chapter 4758. of the Revised Code;



(2) A health education specialist certified by the national commission for health education credentialing.

(E) A registered applicant may not practice as an independent practitioner.



Ohio Administrative Code

Rule 4758-6-08 Scope of practice for Ohio certified prevention specialist assistant (OCPSA).

Effective: July 12, 2024

(A) An individual holding a valid prevention specialist assistant certificate may:

Perform the following prevention services only while under the supervision of anyone listed in paragraph (B) of this rule:

- (1) Information dissemination;
- (2) Prevention education;
- (3) Communication;
- (4) Alternatives; and
- (5) Problem identification and referral.

(B) An individual holding a valid prevention specialist assistant certificate may perform the prevention services specified in paragraph (A) of this rule only while under the supervision of any of the following:

- (1) A prevention consultant or prevention specialist certified under Chapter 4758. of the Revised Code;
- (2) An individual authorized under Chapter 4731. of the Revised Code to practice medicine and surgery or osteopathic medicine and surgery;
- (3) A psychologist licensed under Chapter 4732. of the Revised Code;
- (4) A registered nurse licensed under Chapter 4723. of the Revised Code or an individual authorized



to practice as a certified nurse practitioner or clinical nurse under Chapter 4723. of the Revised Code;

(5) A professional clinical counselor, an independent social worker, a social worker, licensed under Chapter 4757. of the Revised Code;

(6) A school counselor licensed by the department of education pursuant to section 3319.22 of the Revised Code;

(7) A health education specialist certified by the national commission for health education credentialing.

(C) An individual holding a valid prevention specialist assistant certificate may:

Engage in the following only while under the supervision of anyone listed in paragraph (D) of this rule:

(1) Planning and evaluation;

(2) Community based processes;

(3) Environmental strategies; and

(4) Professional growth and responsibilities.

(D) An individual holding a valid prevention specialist assistant certificate may engage in prevention strategies and activities listed in paragraph (C) of this rule only while under the supervision of any of the following:

(1) A prevention consultant or prevention specialist certified under Chapter 4758. of the Revised Code;

(2) A health education specialist certified by the national commission for health education



credentialing.

(E) A prevention specialist assistant may not practice as an independent practitioner.



Ohio Administrative Code

Rule 4758-6-09 Scope of practice for Ohio certified prevention specialists (OCPS).

Effective: July 12, 2024

(A) An individual holding a valid prevention specialist certificate issued under Chapter 4758. of the Revised Code may :

(1) Perform the following prevention services :

(a) Information dissemination,

(b) Prevention education,

(c) Communication,

(d) Alternatives, and

(e) Problem identification and referral.

(2) Engage in the following prevention strategies and activities:

(a) Community based processes and organization ,

(b) Public policy and environmental change, and

(c) Professional growth and responsibility.

(3) Supervise staff and volunteers including:

(a) Prevention program volunteers,

(b) Registered applicants,



(c) Ohio certified prevention specialist assistants, and

(d) Ohio certified prevention specialists.

(B) An individual holding a valid certified prevention specialist certificate may:

(1) Engage in the following only while under the supervision of anyone listed in paragraph (C) of this rule :

(a) Planning and evaluation, and

(b) Managing prevention programs.

(C) An individual holding a valid prevention specialist certificate may engage in the activities specified in paragraph (B) of this rule only while under the supervision of any of the following:

(1) A prevention consultant certified under Chapter 4758. of the Revised Code;

(2) A health education specialist certified by the national commission for health education credentialing.

(D) A prevention specialist may not practice as an independent practitioner.



Ohio Administrative Code

Rule 4758-6-10 Scope of practice for Ohio certified prevention consultant (OCPC).

Effective: July 12, 2024

(A) An individual holding a valid prevention consultant certificate issued under Chapter 4758. of the Revised Code may:

(1) Manage, supervise and perform the following prevention services:

(a) Information dissemination;

(b) Prevention education;

(c) Alternatives; and

(d) Problem identification and referral.

(2) Manage, supervise and perform the following prevention strategies and activities:

(a) Planning and evaluation;

(b) Communication;

(c) Community based processes and community organization;

(d) Public policy and environmental change; and

(e) Professional growth and responsibility.

(3) Conduct program, organizational and community assessment, development and evaluation activities.



(4) Provide specialized consultation and technical assistance of program, organizational and community assessment, planning, evaluation, prevention intervention and referral activities.

(5) Facilitate the assessment, development, implementation and evaluation of prevention policy and environmental strategies.

(B) A prevention consultant may supervise:

(1) Prevention program volunteers;

(2) Registered applicants;

(3) Ohio certified prevention specialist assistants; and

(4) Ohio prevention specialist professionals.

(C) A prevention consultant may manage prevention departments and programs.

(D) A prevention consultant may practice as an independent practitioner.



Ohio Administrative Code

Rule 4758-6-11 Scope of practice for chemical dependency counselors II (LCDC II) with gambling disorder endorsement.

Effective: [April 1, 2024](#)

(A) An individual who holds a chemical dependency counselor II license and a gambling disorder endorsement may do all of the following in addition to those services outlined in rule 4758-6-03 of the Administrative Code:

(1) Treat gambling disorder conditions; and

(2) Perform treatment planning, assessment, crisis intervention, individual, family, and group counseling, case management, and educational services insofar as those functions relate to gambling disorder.

(B) A chemical dependency counselor II may not practice as an individual practitioner.

(C) A chemical dependency counselor II may not provide clinical supervision.

(D) An individual holding a valid chemical dependency counselor II license and gambling disorder endorsement may practice substance use disorder counseling and perform the tasks specified in rule 4758-6-03 of the Administrative Code only while under the supervision of any of the following:

(1) An independent chemical dependency counselor-clinical supervisor independent chemical dependency counselor or chemical dependency counselor III licensed under this chapter;

(2) An individual authorized under Chapter 4731. of the Revised Code to practice medicine and surgery or osteopathic medicine and surgery;

(3) A psychologist licensed under Chapter 4732. of the Revised Code;

(4) A registered nurse licensed under Chapter 4723. of the Revised Code if such supervision is consistent with the scope of practice of the registered nurse, or an individual authorized to practice as



a certified nurse practitioner or clinical nurse specialist under Chapter 4723. of the Revised Code;

(5) A professional clinical counselor, independent social worker, or independent marriage and family therapist under Chapter 4757. of the Revised Code if such supervision is consistent with the scope of practice of the professional clinical counselor, independent social worker, or independent marriage and family therapist.



Ohio Administrative Code

Rule 4758-6-12 Scope of practice for chemical dependency counselors III (LCDC III) with gambling disorder endorsement.

Effective: April 1, 2024

(A) An individual who holds a chemical dependency counselor III license and a gambling disorder endorsement may do all of the following in addition to those services outlined in rule 4758-6-04 of the Administrative Code:

- (1) Treat gambling disorder conditions;
- (2) Diagnose gambling disorder conditions under supervision;
- (3) Perform treatment planning, assessment, crisis intervention, individual, family, and group counseling, case management, and educational services insofar as those functions relate to gambling disorder;
- (4) Supervise gambling disorder counseling in accordance with section 4758.63 of the Revised Code.

(B) An individual holding a chemical dependency counselor III license shall not practice as an individual practitioner.



Ohio Administrative Code

Rule 4758-6-13 Scope of practice for independent chemical dependency counselors (LICDC) with gambling disorder endorsement.

Effective: [April 1, 2024](#)

(A) An individual who holds an independent chemical dependency counselor license and a gambling disorder endorsement may do all of the following in addition to those services outlined in rule 4758-6-05 of the Administrative Code:

- (1) Diagnose and treat gambling disorder conditions;
 - (2) Perform treatment planning, assessment, crisis intervention, individual, family, and group counseling, case management, and educational services insofar as those functions relate to gambling disorder;
 - (3) Supervise gambling disorder counseling in accordance with section 4758.62 of the Revised Code.
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Ohio Administrative Code

Rule 4758-6-14 Scope of practice for independent chemical dependency counselors-clinical supervisor (LICDC-CS) with gambling disorder endorsement.

Effective: April 1, 2024

An individual who holds an independent chemical dependency counselor-clinical supervisor license and a gambling disorder endorsement may do all of the following in addition to those services outlined in rule 4758-6-06 of the Administrative Code:

- (A) Diagnose and treat gambling disorder conditions;

 - (B) Perform treatment planning, assessment, crisis intervention, individual, family, and group counseling, case management, and educational services insofar as those functions relate to gambling disorder;

 - (C) Supervise gambling disorder counseling.
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Ohio Administrative Code

Rule 4758-6-15 Clinical supervision of chemical dependency counselor assistants.

Effective: April 1, 2024

Individuals who hold an active chemical dependency counselor assistant credential shall comply with the following clinical supervision requirements.

(A) Individuals shall have sixty days from the start of each new employment or new supervisory relationship to establish a supervision contract.

(1) The contract shall be maintained in the individuals supervision record.

(2) The contract shall clearly define goals, context, methods, frequency and responsibilities as they relate to clinical supervision.

(3) The contract shall be revisable with the mutual consent of the supervisor and supervisee.

(B) Individuals shall receive one hour of face to face clinical supervision for every forty hours in a role which includes work within the scope of practice of a chemical dependency counselor assistant.

(1) Clinical supervision shall include direct observation at intervals determined in the supervision contract.

(2) Clinical supervision shall include review of individual's clinical documentation, and scope of practice at intervals determined in the supervision contract.

(3) Clinical supervision shall include a discussion of the application of the professional codes of ethics.

(C) Clinical supervision shall be formally documented by the clinical supervisor and maintained in the individuals supervision record.



Documentation shall include the date, length, content and method of supervision.

(D) The board may, at its discretion, require the individual or clinical supervisor to provide a copy of the clinical supervision contract or supervision record for auditing purposes.



Ohio Administrative Code

Rule 4758-8-01 Code of ethics for chemical dependency counselors.

Effective: [April 1, 2024](#)

(A) The following rules of conduct set forth the minimum standards of conduct which all applicants for licensure or certification shall follow and establishes the minimum standard of practice for certified chemical dependency counselor assistants (CDCA), licensed chemical dependency counselors II (LCDCII), licensed chemical dependency counselors III (LCDCIII), licensed independent chemical dependency counselors (LICDC), licensed independent chemical dependency counselors-clinical supervisors (LICDC-CS), and those licensees who carry the gambling disorder endorsement.

(B) A violation of rules of ethical practice and professional conduct constitutes unprofessional conduct and is sufficient reason for a reprimand, suspension, revocation or for restrictions to be placed on a license or certificate or for the denial of the initial license or certificate or renewal, or reinstatement of a license or certificate.

(C) Licensees and certificate holders are expected to exemplify unwavering integrity in their professional endeavors. They should consistently act in a manner that is ethical, honest, and transparent. Maintaining the trust and confidence of their clients and colleagues is paramount. Additionally, licensees and certificate holders are obligated to uphold integrity in their personal relationships and activities, understanding that their actions outside of work can significantly impact their professional reputation. By demonstrating integrity both professionally and personally, licensees and certificate holders can foster an environment of trust, credibility, and accountability within their field.

(1) Professional standards:

(a) The licensee or certificate holder shall meet and comply with all terms, conditions or limitations of licensure or certification.

(b) The licensee or certificate holder shall recognize limitations of his or her competency based on



professional qualifications, education and experience and shall not offer services or use techniques outside his or her professional competency or scope of practice defined by rules 4758-6-01 to 4758-6-14 of the Administrative Code.

(c) A licensee or certificate holder shall obtain appropriate consultation or make an appropriate referral when the client's problem is beyond the licensee or certificate holder's area of training, expertise, competency or scope of practice.

(d) The licensee or certificate holder shall refer clients to a person or agency that the licensee or certificate holder knows is qualified by training, experience, certification or license to provide such professional services.

(e) The licensee or certificate holder shall not participate in discrimination of clients and family members, including but not limited to, on the basis of race, ethnicity, color, sex, gender identity or expression, sexual orientation, religion, age, national ancestry, genetic information, parental status, military status, socioeconomic status, political belief, psychiatric or psychological conditions, disability, the amount of previous therapeutic or treatment occurrences, or against other persons that could be subject to discrimination but are not expressly protected by state or federal law.

(f) The licensee or certificate holder shall be aware of and comply with all applicable state and federal guidelines, regulations, and statutes.

(g) In general, in substance use disorder and gambling disorder counseling, the best interest of the client is considered to be of paramount importance in making decisions regarding treatment. The "best interest" of the client would reflect these things that would most benefit the client economically, socially, vocationally and in terms of freedom from external restrictions. However, there may exist in the context of substance use disorder or gambling disorder treatment certain protocols, restrictions, or arrangements which are contrary to what clients would consider to be in their best interest. There may also be circumstances in which agency philosophy or orientation or the personal beliefs of the counselor may influence decisions regarding the client's treatment. When such circumstances or restrictions are present, they should be disclosed and explained to the client unless such disclosure is expressly prohibited or would clearly violate the safety, rights or interests of another person.



- (h) The licensee or certificate holder shall primarily be concerned with the welfare of the client. The licensee or certificate holder shall respect the integrity of the client.
- (i) The licensee or certificate holder shall not engage in any action that violates the civil or legal rights of clients.
- (j) The licensee or certificate holder shall have an obligation to protect the client's right to confidentiality as established by law or the professional standards of practice. Confidential information shall only be revealed to others when the client or other persons legally authorize to give consent on the behalf of the clients, have given their informed and written consent, unless there is a serious and current or imminent threat of harm to the client or others or as otherwise authorized by law.
- (k) The licensee or certificate holder shall not place an individual in any activity or setting where such participation could harm the individual.
- (l) The licensee or certificate holder shall not offer professional services to a client in substance use disorder or gambling disorder counseling with another professional except with the knowledge of the other professional or after the termination of the client relationship with the other professional.
- (m) A licensee or certificate holder shall terminate a substance use disorder or gambling disorder counseling or consulting relationship when it is reasonably clear to the licensee or certificate holder that the client is not benefiting from it.
- (n) A licensee or certificate holder shall not discontinue professional services to a client unless:
- (i) Services have been completed;
 - (ii) The client requests the discontinuation;
 - (iii) Alternative or replacement services are arranged; or
 - (iv) The client is given reasonable opportunity to arrange alternative or replacement services.



(o) A licensee or certificate holder shall not physically or verbally abuse or threaten clients, former clients, or family members of clients or former clients.

(p) A licensee or certificate holder shall not use derogatory language in their written or verbal communications to or about clients, former clients, or family members of clients or former clients.

(q) A licensee or certificate holder is required to submit and maintain their legal address and contact information through the boards electronic licensure system and is required to notify the board of any changes to their name, mailing address, phone number or email address within thirty days.

(r) A licensee or certificate holder shall not provide services without appropriate supervision in accordance with their scope of practice, which shall include completion of any required supervision documentation.

(2) Unlawful conduct:

(a) A conviction for a felony offense in the state of Ohio or any act in another state, tribal or military court, or foreign nation that would constitute a felony in Ohio shall be grounds for disciplinary action.

(b) A conviction in the state of Ohio or any act in another state, tribal or military court, or foreign nation that would constitute a misdemeanor offense in Ohio for a theft, fraud, violent, alcohol, drug, or sexual misdemeanor offense, or any other offense which relates to the ability to practice substance use disorder or gambling disorder counseling shall be grounds for disciplinary action.

(3) Fraud related conduct:

(a) The licensee or certificate holder shall not omit, make any misrepresentation, or make any false statement to the board.

(b) A licensee or certificate holder shall not use a title, designation, credential, license, name, name or organization affiliation, or other language on a letterhead, publication, or document, any social media, or other medium which states or implies an ability, relationship or qualification the licensee or



certificate holder is not qualified to use or does not exist.

(c) The licensee or certificate holder shall not practice under a false name or under a name other than the name in which his or her certificate/license is held.

(d) The licensee or certificate holder shall not sign or issue in the licensee or certificate holders capacity, any document or statement that he or she knows to contain either a false or misleading statement.

(e) The licensee or certificate holder shall not produce, publish, create, or partake in the creation of any false, deceptive or misleading advertisement.

(f) The licensee or certificate holder shall assign appropriate credit to published material.

(g) A licensee or certificate holder shall not falsify, fraudulently amend, knowingly make incorrect entries or fail to make timely essential entries into the client records.

(h) A licensee or certificate holder shall not condone, partake, or assist in billing irregularities or fraud with respect to grants, insurance companies or direct billing.

(i) A licensee or certificate holder shall not bill for services that are not rendered.

(j) A licensee or certificate holder shall not aid or abet another person in misrepresenting professional credentials or engaging in illegal or unethical practice.

(k) A licensee or certificate holder shall not provide services under the signature of their license or certificate while said license or certificate is in an inactive lapsed, escrow, or expired status.

(l) A licensee or certificate holder shall not engage in deceptive behavior in a professional setting whether it is to advance their professional standing, avoid disciplinary action or for any other reason.

(4) Discipline in other jurisdictions:



(a) Any denial, suspension, revocation, probation or other restriction or discipline on certification, license or other authorization to practice issued by any certification authority or any state, province, territory, tribe or other federal government shall be regarded by the board as an ethics complaint and shall be reported to the board.

(5) Cooperation with the board:

(a) The licensee or certificate holder shall cooperate in any investigation conducted pursuant to this code of ethics and shall not interfere with an investigation or a disciplinary proceeding or other legal action.

(b) Except as in rule 4758-11-03 of the Administrative Code, the licensee or certificate holder has the duty to report any violation of this code of ethics to the board.

(c) In submitting information to the board, a licensee or certificate holder shall comply with any requirements pertaining to the disclosure of client information established by federal or state law or regulation.

(d) The license or certificate holder shall comply with all mandatory reporting requirements set forth in the Revised Code to include, but not limited to, a duty to report abuse, neglect, or exploitation of a minor child or protected adult.

(6) Client relationships:

(a) A licensee or certificate holder shall maintain an objective and non-possessive relationship with those they serve and shall not develop, implement, or maintain a multiple relationship or conflict of interest with any client, former client, family member of a client or a former client, or other person encountered in professional or non-professional settings, which may impair professional judgment, increase the risk of exploitation, or not be in the best interest of a client at any time.

(b) A licensee or certificate holder shall not enter into a substance use disorder or gambling disorder counseling relationship with members of his or her own family, friends or close associates or others who might be jeopardized by such a multiple relationship.



- (c) If a multiple relationship is recognized, a dependent licensee or certificate holder shall:
- (i) Discuss as soon as reasonably possible any potential multiple relationship and/or conflict of interest with the appropriate supervisor;
 - (ii) Immediately discuss any potential multiple relationship and/or conflict of interest with the client;
 - (iii) Obtain written consent between the supervisor, licensee or certificate holder, and the client;
 - (iv) Document how continuation of the multiple relationship and/or conflict of interest serves the best interest of the client. The best interest of the client shall be reassessed and documented.
 - (v) Consider all factors on a case-by-case basis, such as informed consent, consultation, and supervision.
- (d) If a multiple relationship is recognized, an independent licensee shall consult with another independent licensee and document that consultation in addition to following paragraphs (C)(6)(c)(ii) to (C)(6)(c)(v) of this rule
- (e) Multiple relationships include, but are not limited to, the following:
- (i) Familial relationships;
 - (ii) Social relationships;
 - (iii) Emotional relationships;
 - (iv) Financial relationships, including but not limited to, accepting gifts, bartering for services, accepting free services, or accepting discounts on services;
 - (v) Supervisory relationships;



(vi) Professional relationships;

(vii) Administrative relationships;

(viii) Legal relationships, and/or;

(ix) Social media/personal virtual relationships.

(f) Regardless if no services were provided to a client by the licensee or certificate holder, all clients of a treatment provider or agency are also considered a client of the licensee or certificate holder that is employed or contracted by that treatment provider or agency.

(g) This paragraph shall also apply to license or certificate holders employed to work in any capacity in recovery housing. Residents in recovery housing shall be considered clients of the licensee or certificate holder.

(7) Sexual relationships and misconduct:

(a) Sexual conduct is any contact with another person, consensual or non-consensual, that engages, or attempts to engage, in any activity that a reasonable person may consider sexual or sexual in nature, including but not limited to: sexual relationship; sexual advance; sexual solicitation; request for a sexual favor; a text, picture, or video or social media post of a sexual nature; or any other verbal, non-verbal, or physical activity, contact, or conduct that is sexual or sexual in nature.

(b) A license or certificate holder shall not engage in any type of sexual conduct or sexual relationship with a current client.

(c) A license or certificate holder shall not provide services to anyone in which they have had a prior sexual relationship.

(d) A licensee or certificate holder shall not have a sexual relationship, nor engage in any form of sexual conduct with former client within two years, at a minimum, after the termination of



professional services. A licensee or certificate holder shall never engage in a sexual relationship with a former client if such relationship is not in the best interest of the client or increases the risk of client exploitation.

(e) A licensee or certificate holder who chooses to engage in a sexual relationship with a former client after the mandatory two year period of time will have the full burden of demonstrating that the former client has not been exploited, coerced or manipulated intentionally or unintentionally.

(f) A licensee or certificate holder shall never engage in a sexual relationship with a former client's family member if that relationship is not in the best interest of the client or increases the risk of client exploitation.

(g) A licensee or certificate holder shall not sexually harass a client, former client, or family members of a client or former client.

Sexual harassment includes any activity, contact, or conduct that a reasonable person may consider offensive or harassing that is sexual or sexual in nature, including but not limited to: sexual advance; sexual solicitation; request for a sexual favor; a text, picture, or video or social media post of a sexual nature; or any other verbal, non-verbal, or physical activity, contact, or conduct that is sexually offensive or harassing.

(h) A licensee or certificate holder shall not sexually harass persons they encounter in professional settings.

(i) Regardless if no services were provided to a client by the licensee or certificate holder, all clients of a treatment provider or agency are also considered a client of the licensee or certificate holder that is employed or contracted by that treatment provider or agency.

(j) This paragraph shall also apply to license or certificate holders employed to work in any capacity in recovery housing. Residents in recovery housing shall be considered clients of the licensee or certificate holder.

(8) Private practice:



(a) An independent licensee employed by an agency may not solicit or refer a current client of the agency to the independent licensee's private practice. Independent licensees may offer referrals to client's which include multiple options for the client to choose from and the independent licensee's private practice may be one of the multiple programs.

(b) When setting fees, an independent licensee shall ensure that fees are fair, reasonable and commensurate with the services performed.

(c) An independent licensee shall maintain client records for a period of seven years from the time services are completed.

(9) Professional disclosure:

(a) A licensee or certificate holder shall display a professional disclosure statement at the place where services are performed and shall provide a copy of the disclosure statement to clients upon request.

(b) Professional disclosure statements shall include the name, title, license or certificate type, license or certification number, business address and business phone number of the licensee or certificate holder.

(c) Professional disclosure statements shall identify licensee or certificate holder's formal professional education, areas of competence and the services they provide.

(d) Professional disclosure statements shall include language that directs the client to contact the board should they have complaints about the licensee or certificate holder. The name, address and phone number of the licensing board should be included in this language.

(e) For a licensee employed in a private practice, a fee schedule shall be listed by type of service or hourly rate.

(10) Impairment:



(a) A licensee or certificate holder shall not undertake or continue a professional counseling role when there is a reasonable belief that the judgment, competence and/or objectivity of the licensee or certificate holder is impaired due to mental, emotional, physiological, pharmacological, or substance use conditions.

(b) A licensee or certificate holder shall seek appropriate professional assistance for any substance abuse or dependence, psychiatric or psychological impairment, emotional distress or an other physical health related adversity that interferes with the licensee or certificate holders ability to function competently. A licensee or certificate holder shall request inactive status for medical reasons when appropriate and notify the board and comply with rule 4758-11-02 of the Administrative Code, or may contact the board's confidential safe-haven program and comply with rule 4758-11-03 of the Administrative Code.

(11) Procedure for processing ethical complaints:

A violation of any of the rules of conduct may result in disciplinary action being taken by the board pursuant to section 4758.30 of the Revised Code and rule 4758-10-01 of the Administrative Code.



Ohio Administrative Code Rule 4758-8-02 Code of ethics for clinical supervisors.

Effective: April 1, 2024

(A) The purpose of this rule is to state the rules of conduct that apply to individuals who hold a valid independent chemical dependency counselor-clinical supervisor license (LICDC-CS), independent chemical dependency counselor license (LICDC) or chemical dependency counselor III license (LCDC III) during the performance of their clinical duties as supervisors.

(B) Competence:

(1) A supervisor shall accurately represent areas of competence, education, training, experience and professional affiliations in response to inquiries, including those from appropriate boards, public, supervisees and colleagues.

(2) A supervisor shall aggressively seek out consultation with other professionals when called on to supervise counseling situations outside their realm of competence. Supervisors shall refer supervisees to other competent staff when they are unable to provide adequate supervisory guidance to the supervisee.

(C) Client best interest, welfare, and rights:

A supervisor shall make supervisees aware of clients' rights, including protecting clients' rights to privacy and confidentiality in the counseling relationship and the information resulting from it.

(D) Supervisory role:

(1) A supervisor shall obtain ongoing training in supervision.

(2) A supervisor shall make their supervisees aware of professional and ethical standards and legal responsibilities of the counseling profession.



- (3) Procedures for contacting the supervisor, or an alternative supervisor, to assist in handling crisis situations shall be established and communicated to supervisees.
- (4) Supervision shall be maintained through regular face-to-face meetings, which could include video conferencing, with a supervisee or supervisees in group or individual sessions. Sessions should include documentation of the content. Supervisor and supervisee signatures should be included if required by certifying or accrediting bodies.
- (5) Actual work samples via audio, counselor report, video or observation shall be part of the regularly scheduled supervision process.
- (6) A supervisor shall provide supervisees with ongoing feedback on their performance.
- (7) A supervisor who has multiple roles (e.g. teacher, clinical supervisor, administrator, etc.) with supervisees shall avoid any conflict of interest caused by these roles. The supervisees shall know the limitations placed on the supervisor and the supervisor shall share supervision when appropriate.
- (8) A supervisor shall not sexually harass or participate in any form of sexual conduct with supervisees.
- (9) A supervisor shall not use the supervision process to further personal, religious, political, financial or business interests.
- (10) A supervisor shall not endorse any treatment that would harm a client either physically or psychologically.
- (11) A supervisor shall not establish a psychotherapeutic relationship as a substitute for supervision. Personal issues shall be addressed in supervision only in terms of the impact of these issues on clients and on professional functioning.
- (12) A supervisor shall never supervise any person closely related by blood, marriage or other significant relationships.



(a) "Closely related by blood or marriage" is defined to include, but is not limited to, spouse, children (whether dependent or independent), parents, grandparents, siblings and any other persons related by blood or marriage who reside in the same household.

(b) "Significant Relationship" means persons living together as a spousal or family unit when not legally married or related where the nature of the relationship may impair the objectivity or independence of judgment of one individual working with the other.

(13) A supervisor shall be honest and direct with supervisees about observed professional and clinical limitations of the supervisee. These concerns shall be clearly documented and shared with the supervisee.

(14) A supervisor shall not endorse a supervisee for certification or licensure if the supervisor has documented proof of impairment or professional limitations that would interfere with the performance of counseling duties in a competent and ethical manner.

(15) The supervision provided by a supervisor shall be provided in a professional and consistent manner to all supervisees regardless of age, race, ethnicity, color, sex, gender identity or expression, national ancestry, religion, genetic information, parental status, military status, physical disability, sexual orientation, political belief, marital or socioeconomic status, psychiatric or psychological conditions, disability, or other identifying traits that could subject an individual to discrimination but are not expressly protected by state or federal law.

(16) A supervisor shall not delegate professional responsibilities to a supervisee if the task is outside of the supervisee's scope of practice, training, or experience.

(17) A supervisor shall not exploit the supervisee for financial gain.

(18) A supervisor shall not instruct a supervisee to perform in a way which would violate any section of the supervisee's code of ethical conduct.

(E) Procedure for processing ethical complaints:



A violation of any of the rules of conduct may result in disciplinary action being taken by the board pursuant to section 4758.30 of the Revised Code and rule 4758-10-01 of the Administrative Code.



Ohio Administrative Code

Rule 4758-8-03 Code of ethics for prevention professionals.

Effective: April 1, 2024

(A) The following rules of conduct set forth the minimum standards of conduct which all applicants for certification shall follow and establishes the minimum standard of practice for registered applicants (RA), Ohio certified prevention specialist assistants (OCPSA), Ohio certified prevention specialists (OCPS) and Ohio certified prevention consultant (OCPC).

(B) A violation of these rules of ethical practice and professional conduct constitutes unprofessional conduct and is sufficient reason for a reprimand, suspension, revocation or for restrictions to be placed on a certificate or for the denial of the initial certificate or renewal, or reinstatement of a certificate.

(C) Prevention certificate holders are expected to exemplify unwavering integrity in their professional endeavors. They should consistently act in a manner that is ethical, honest, and transparent. Maintaining the trust and confidence of consumers and colleagues is paramount. Additionally, certificate holders are obligated to uphold integrity in their personal relationships and activities, understanding that their actions outside of work can significantly impact their professional reputation. By demonstrating integrity both professionally and personally, prevention certificate holders can foster an environment of trust, credibility, and accountability within their field.

(1) Professional standards:

(a) The certificate holder shall meet and comply with all terms, conditions or limitations of certification.

(b) The certificate holder shall recognize limitations of his or her competency based on professional qualifications, education and experience and shall not offer services or use techniques outside his or her professional competency or scope of practice defined by rules 4758-6-07 to 4758-6-10 of the Administrative Code.



- (c) The certificate holder shall refer consumers to a person or agency qualified by competency, experience, certification, or license to provide such professional services.
- (d) The certificate holder shall not participate in discrimination of clients and family members of clients, including but not limited to, on the basis of race, ethnicity, color, sex, gender identity or expression, sexual orientation, religion, age, national ancestry, genetic information, parental status, military status, socioeconomic status, political belief, psychiatric or psychological conditions, disability, the amount of previous therapeutic or treatment occurrences, or against other persons that could be subject to discrimination but are not expressly protected by state or federal law.
- (e) A certificate holder shall seek appropriate professional assistance for any substance abuse or dependence, psychiatric or psychological impairment, emotional distress or any other physical health related adversity that interferes with the certificate holder's ability to function competently. A certificate holder shall request inactive status for medical reasons when appropriate and notify the board and comply with rule 4758-11-02 of the Administrative Code, or may contact the board's confidential safe-haven program and comply with rule 4758-11-03 of the Administrative Code.
- (f) The certificate holder shall not administer to him/herself any substances in a manner which would be dangerous or harmful to consumers.
- (g) The certificate holder shall be aware of and comply with all applicable state and federal guidelines, regulations, and statutes.
- (h) The certificate holder shall act in the best interest of the consumer. The certificate holder shall act to respect the integrity of the consumer.
- (i) The certificate holder shall not engage in any action that violates the civil or legal rights of consumers.
- (j) The certificate holder shall maintain an objective and non-possessive relationship with those they are serving and shall not exploit them sexually, emotionally, financially, or otherwise.

Sexual conduct is any contact with another person, consensual or non-consensual, that engages, or



attempts to engage, in any activity that a reasonable person may consider sexual or sexual in nature, including but not limited to: sexual relationship; sexual advance; sexual solicitation; request for a sexual favor; a text, picture, video or social media post of a sexual nature; or any other verbal, non-verbal, or physical activity, contact, or conduct that is sexual or sexual in nature.

(k) The certificate holder shall not place an individual in any activity or setting where such participation could harm the individual.

(l) The certificate holder shall comply with all mandatory reporting requirements set forth in the Revised Code to include, but not limited to: duty to report abuse, neglect, or exploitation of a minor child or protected adult.

(2) Unlawful conduct:

(a) A conviction for a felony offense in the state of Ohio or any act in another state, tribal or military court, or foreign nation that would constitute a felony in Ohio shall be grounds for disciplinary action.

(b) A conviction in the state of Ohio or any act in another state, tribal or military court, or foreign nation that would constitute a misdemeanor offense in Ohio for a theft, fraud, violent, alcohol, drug, or sexual misdemeanor offense, or any other offense which relates to the ability to practice prevention services shall be grounds for disciplinary action.

(3) Fraud related conduct:

(a) The certificate holder shall not make any misrepresentation or false statement to the board.

(b) A certificate holder shall not use a title, designation, credential, license, firm name, letterhead, publication, term, title or document which states or implies an ability, relationship or qualification the certificate holder is not qualified to use or does not exist.

(c) The certificate holder shall not practice under a false name or under a name other than the name in which his or her certificate is held.



(d) The certificate holder shall not sign or issue in the certificate holder's capacity, any document or statement that he or she knows to contain either a false or misleading statement.

(e) The certificate holder shall not produce, publish, create, or partake in the creation of any false, deceptive or misleading advertisement.

(f) The certificate holder shall assign appropriate credit to published material.

(4) Discipline in other jurisdictions:

(a) Any denial, suspension, revocation, probation or other restriction or discipline on certification, license or other authorization to practice issued by any certification authority or any state, province, territory, tribe or other federal government shall be regarded by the board as an ethics complaint and shall be reported to the board.

(5) Cooperation with the board:

(a) The certificate holder shall cooperate in any investigation conducted pursuant to this code of ethics and shall not interfere with an investigation or a disciplinary proceeding or other legal action.

(b) Except as outlined in rule 4758-11-03 of the Administrative Code, the certificate holder shall report any violation of this code of ethics to the board.

(c) In submitting information to the board, a certificate holder shall comply with any requirements pertaining to the disclosure of consumer information established by federal or state law or regulation.

(d) The license or certificate holder shall comply with all mandatory reporting requirements set forth in the revised code to include, but not limited to, a duty to report abuse, neglect, or exploitation of a minor child or protected adult.

(6) Impairment

(a) A certificate holder shall not undertake or continue a professional role when there is a reasonable



belief that the judgment, competence and/or objectivity of certificate holder is impaired due to mental, emotional, physiological, pharmacological, or substance use conditions.

(b) A certificate holder shall seek appropriate professional assistance for any substance abuse or dependence, psychiatric or psychological conditions, emotional distress or an other physical health related adversity that interferes with the certificate holders ability to function competently. A certificate holder shall request inactive status for medical reasons when appropriate and notify the board and comply with rule 4758-11-02 of the Administrative Code, or may contact the board's confidential safe-haven program and comply with rule 4758-11-03 of the Administrative Code.

(7) Procedure for processing ethical complaints:

A violation of any of the rules of conduct may result in disciplinary action being taken by the board pursuant to section 4758.30 of the Revised Code and rule 4758-10-01 of the Administrative Code.



Ohio Administrative Code

Rule 4758-8-04 Codes of ethical practice and professional conduct: telehealth services.

Effective: [July 12, 2024](#)

(A) Telehealth means the use of real-time audio or audiovisual communications that permit accurate and meaningful interaction between at least two people, one of whom is a licensee or certificate holder. For the purposes of this rule, modalities, including but not limited to phone, video, text, email, instant messaging/chat, are considered telehealth.

(1) The licensee or certificate holder providing services within their scope of practice via telehealth to persons physically present in Ohio shall be licensed in Ohio.

(2) The licensee or certificate holder providing services to a client outside the state of Ohio shall comply with the laws and rules of the jurisdiction where the client is located at the time services are rendered.

(3) The licensee or certificate holder shall confirm the client's location at the time services are rendered.

(B) The licensee or certificate holder shall consider their education, training, and experience before providing telehealth services and provide only services for which they are competent. The licensee or certificate holder shall assume responsibility to continually assess both their professional and technical competence when providing telehealth services.

(C) No initial in person or face to face audiovisual visit is necessary to initiate services using telehealth modalities.

(D) The licensee or certificate holder shall screen each client for appropriateness to receive services via telehealth throughout the course of treatment, which includes considering their current mental and emotional status, conducive treatment modalities, and ongoing effectiveness of the service. The licensee or certificate holder shall screen each client's technological capabilities as part of the intake process and document any assistance provided to facilitate access.



- (1) The licensee or certificate holder shall regularly review whether the use of telehealth is meeting the clinical needs of the client. This review should also occur in clinical supervision of the dependent licensee or certificate holder.
- (2) Ongoing review of appropriateness of telehealth to meet the clinical needs of the client should be reviewed in the clinical supervision of the dependent licensee or certificate holder.
- (E) The licensee or certificate holder is under no obligation to provide services via telehealth if their clinical judgement indicates telehealth is not an appropriate modality for delivering services to the client.
- (F) No licensee or certificate holder shall engage in telehealth services while operating a motor vehicle or similar equipment, nor engage in activities during telehealth that do not allow the licensee or certificate holder to focus on the client or prepare to document session. The licensee or certificate holder should terminate a session if it is determined while in a session the client is engaged in activities that could endanger themselves or others.
- (G) A licensee or certificate holder shall not provide telehealth when either the client or licensee or certificate holder is in a setting where the confidentiality of the session could reasonably be expected to be compromised.
- (H) When using video conferencing for telehealth services, the licensee or certificate holder shall remain on camera throughout the session.
- (I) The licensee or certificate holder shall be aware of cultural and developmental differences and how they can affect non-verbal cues. The licensee or certificate holder shall also be aware of audio, visual, and cognitive impairment, and the impact of these on the use of telehealth services. Telehealth methods should be appropriate to the client and their environment.
- (J) The licensee or certificate holder must maintain records in accordance with state and federal regulations. Such records must clearly indicate when services are provided through telehealth.



(K) The licensee or certificate holder shall document all relevant communication with clients, to include emails, texts, instant messages, and chat history.

(L) The licensee or certificate holder is not responsible for client misuse of telehealth devices during the provision of services.

(M) During the initial session, the licensee or certificate holder must establish informed consent and shall include information defining telehealth delivery as practiced by the licensee, as well as potential risks, security issues, and confidentiality issues when receiving telehealth. In the case of a minor client, the licensee or certificate holder must address any potential issues specifically associated with treating minors.

(1) Each client shall be given sufficient opportunity to ask questions and receive answers about telehealth. These discussions should be documented in the client record.

(2) Informed consent should include a discussion of how telehealth may affect billing and access to insurance benefits.

(3) The licensee or certificate holder shall document permission prior to recording any part of the telehealth session. If the licensee or certificate holder is storing audiovisual records from sessions, these cannot be released to the client unless authorization from the client is obtained specifically stating the records are to be released.

(4) The licensee or certificate holder shall not provide services without client informed consent which can be documented through verbal acknowledgement, online signature, or by signing a hard copy form. The licensee or certificate holder must make available to the client a copy of the consent documents regardless of the form of consent by the client.

(5) The licensee or certificate holder shall make available to client access to information for all certification bodies and licensure boards to facilitate consumer protection and include a link to the board online license verification site.

(6) The licensee or certificate holder shall provide to the client information on how to access



assistance in a crisis and outside of established business hours.

(N) The licensee or certificate holder shall have a contingency plan for providing services to client when technical problems occur during a telehealth session, or when technical problems prevent a session from occurring.

(O) The licensee or certificate holder shall comply with all requirements under state and federal law regarding the protection of client confidentiality while providing services. Each provider shall ensure that any username or password information and any electronic communications between the provider, client, or third parties are securely transmitted and stored.



Ohio Administrative Code

Rule 4758-10-01 Disciplinary action against licensees, certificate holders, applicants, or endorsees.

Effective: [April 1, 2024](#)

(A) The board may refuse to admit for examination, issue, renew, or may suspend, revoke, reprimand or place restrictions on any license, certificate, or endorsement applied for under Chapter 4758. of the Revised Code, or may take other disciplinary action against any licensee, certificate holder, endorsee, or applicant for one or more of the following reasons:

- (1) Violation of any provision of Chapter 4758. of the Revised Code or any rules adopted under it.
- (2) Making a false statement on an application for a license, certificate, or endorsement or for renewal, restoration or reinstatement of a license, certificate, or endorsement.
- (3) Acceptance of a commission or rebate for referring an individual to a person who holds a license, certificate, or endorsement issued by, or who is registered with, an entity of state government, including persons practicing substance use disorder counseling, gambling disorder counseling, prevention services, or fields related to substance use disorder counseling, gambling disorder counseling, or prevention services.
- (4) Conviction in this or any other state of any crime that is a felony in this state.
- (5) Conviction in this or any other state of a misdemeanor committed in the course of practice as a licensee, certificate holder or endorsee, or a theft, fraud, violent, alcohol, drug, or sexual misdemeanor offense which relates to the ability to practice substance use disorder or gambling disorder counseling, or prevention services.
- (6) Inability to practice as a licensee, certificate holder or endorsee due to substance use or abuse or other physical or mental conditions.
- (7) Practicing outside the individual's scope of practice.



(8) Practicing without complying with supervision requirements specified under section 4758.55, 4758.56, 4758.59, 4758.61 or 4758.63 of the Revised Code.

(9) Violation of the code of ethical practice and professional conduct for substance use disorder or gambling disorder counseling, prevention services, or clinical supervision outlined in rules 4758-8-01 to 4758-8-03 of the Administrative Code.

(10) Revocation of a license or certificate or voluntary surrender of a license or certificate in another state or jurisdiction for an offense that would be a violation of section 4758.30 of the Revised Code.

(11) Failure to meet education, experience, examination, and other requirements set forth in Chapter 4758. of the Revised Code;

(B) Authority of the board to take action against an applicant, licensee, certificate holder, or endorsee:

(1) A violation of any of the rules of conduct or ethical rules may result in one or more of the following disciplinary actions:

- (a) Refusal to issue a license, certificate, or endorsement;
- (b) Refusal to renew a license, certificate, or endorsement;
- (c) Reprimand of a licensee, certificate holder, or endorsee;
- (d) Suspension of a license, certificate, or endorsement;
- (e) Revocation of a license, certificate, or endorsement; or
- (f) Surrender of a license, certificate, or endorsement.

(2) Past disciplinary actions taken against a licensee or certificate holder of this board may be considered in the choice of sanctions for a new offense. Section of sanctions to be imposed shall be



at the discretion of the board after the licensee has been provided a right to a hearing pursuant to Chapter 119. and as outlined in section 4758.30 of the Revised Code.

(C) Persons wishing to file a grievance against a licensee or certificate holder of this board or against someone seeking licensure may do so by obtaining and completing a written grievance form and submitting it to the board by mail, fax, or email.

(D) The board may initiate an investigation against a licensee or certificate holder if the board has reason to believe that the licensee or certificate holder is violating any laws or rules outlined in Chapter 4758. of the Revised Code or agency 4758 of the Administrative Code.

(E) The board shall give the applicant, licensee, or certificate holder notice in accordance with Chapter 119. and Chapter 4758. of the Revised Code, if it intends to propose to reprimand, suspend, revoke, place restrictions on, or fail to issue or renew the license, certificate, or endorsement.

(F) If the board decides to revoke a license, certificate, or endorsement, the licensee or certificate holder may reapply for the issuance of a license, certificate, or endorsement five years after the revocation of the license, certificate, or endorsement.

(G) If the board decides to deny the issuance of a license, certificate, or endorsement, the applicant may reapply for the issuance of a license, certificate, or endorsement not less than one year after the denial.



Ohio Administrative Code Rule 4758-11-02 Procedures in impairment cases.

Effective: July 3, 2023

(A) Should the board have reason to believe that a licensee, certificate holder, or applicant suffers from impairment as defined by paragraph (T) of rule 4758-2-01 of the Administrative Code, it may compel the individual to submit to a mental or physical examination, or both. Such examination shall be completed by a treatment provider that has been approved by the board. The notice issued ordering to submit to an examination shall specify conduct, acts or behavior committed or displayed to establish reason to believe that the licensee, certificate holder, or applicant is considered impaired. Failure to submit to examination ordered by the board constitutes an admission of impairment, unless the failure is due to circumstances beyond the individual's control as determined by the board.

(B) If the examination outlined in paragraph (A) of the rule finds that the individual is not impaired, no action shall be initiated by the board.

(C) If the examination outlined in paragraph (A) of this rule finds that the individual is impaired, or if the board has reasonable evidence of impairment, the board shall initiate proceedings to suspend the license or certificate or deny the initial application.

(1) Before being eligible to apply for reinstatement of a license or certificate suspended under this rule, the practitioner shall provide evidence to the board of the following:

(a) Certification from the designated treatment provider that the practitioner has successfully completed any required inpatient or outpatient program;

(b) Continuing compliance with an aftercare contract;

(c) One or more written reports as determined by the board indicating that the licensee or certificate holder has been assessed by a licensed practitioner approved by the board and has been found capable of practicing according to acceptable and prevailing standards of care.



(2) The board may reinstate the suspended license or certificate or reactivate an inactive license or certificate under this rule after sufficient demonstration as determined by the board of the items outlined in paragraph (C)(1) of this rule and after the individual has entered into a written consent agreement with the board.

(3) When the licensee or certificate holder resumes practice under this rule, the board may require continued monitoring of the practitioner.

(D) A licensee or certificate holder may appeal rulings of the board in regards to impairment.



Ohio Administrative Code Rule 4758-11-03 Confidential, non-disciplinary program.

Effective: July 3, 2023

(A) The board may establish a confidential, non-disciplinary program for the evaluation and treatment of eligible practitioners who need assistance with a potential or existing impairment due to substance use disorder or other mental health conditions. This program shall be known as the board's safe haven program.

(B) The board shall contract with one entity, hereafter referred to as the monitoring organization, to conduct the safe haven program. The monitoring organization shall determine the eligibility for participation in the safe haven program and provide associated services to eligible practitioners.

(C) Eligible practitioners shall include licensees or certificate holders of the board as well as applicants who have applied for a license or certificate from the board.

(D) Services provided by the monitoring organization include but are not limited to the following:

(1) Screening and/or evaluation for possible impairment due substance use disorder or other mental health conditions.

(2) Referral to treatment providers approved by the monitoring organization for the purpose of evaluating and/or treating impairment.

(3) Establishment of individualized monitoring criteria for a duration determined by the monitoring organization to ensure the continuing care and recovery from impairment.

(4) Case management.

(E) The monitoring organization that contracts with the board to conduct the safe haven program may receive referrals from any of the following:



- (1) Applicants, licensees or certificate holders.
- (2) Other individuals.
- (3) Employers.
- (4) Professional societies and associations.
- (5) Health care personnel and treatment providers.
- (6) Other entities and organizations.
- (7) The Ohio Chemical Dependency Professionals Board .

(F) To participate in the safe haven program, an eligible practitioner must enter into an agreement with the monitoring organization to seek assistance for a potential or existing impairment due to substance use disorder or other or mental health conditions. The agreement may specify but is not limited to the following:

- (1) Treatment and therapy plan.
- (2) Support group participation.
- (3) Case management.
- (4) Duration of monitoring. Relapses and other failures to comply with the terms of the agreement may result in longer period of monitoring. As appropriate, an addendum to the agreement may be initiated by the imonitoring organization.
- (5) Approved work activities, including but not limited to abstaining from work while receiving evaluation and/or treatment as well as ongoing monitoring of compliance with any restrictions or limitations specified by the monitoring organization or the board.



(6) Random Toxicology testing.

(7) Releases for seeking information or records related to the practitioners's impairment, including but not limited to family or designated persons, health care personnel, employers, and treatment providers.

(8) Grounds for dismissal from participation in the non-disciplinary, safe haven program for failure to comply with program requirements.

(9) Any required fees assoicated with participation in the non-disciplinary, safe haven program, including but not limited to fees for treatment services and toxicology testing.

(G) The board shall not insitute disciplinary action based on impariment against a safe haven program participant so long as the participant enters into an agreement with the monitoring organization and complies with the same. the presence of impairment shall not excuse acts or preclude investigation or disciplinary action against a participant for other violations of the Chapter or Chapter 4758. of the Revised Code.

(H) The monitoring organization shall report to the board for further investigation and/or action any participant who is unwilling or unable to complete or comply with the confidential, non-disciplinary safe haven program.

(I) All information received and maintained by the monitoring organization shall be held in confidence subject to Section 2317.02 of the Revised Code and in accordance with federal law.