

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it will conduct a public hearing for the purpose of considering: no change rules 4757-21-01, 4757-21-02 and 4757-99-01; rescinded rules 4757-5-01, 4757-13-01, 4757-15-03 and 4757-21-04; amended rules 4757-1-01, 4757-1-02, 4757-1-03, 4757-1-04, 4757-1-06, 4757-3-01, 4757-3-02, 4757-6-01, 4757-7-01, 4757-9-02, 4757-9-03, 4757-9-04, 4757-9-05, 4757-9-06, 4757-9-07, 4757-11-03, 4757-11-04, 4757-13-02, 4757-13-03, 4757-13-05, 4757-13-06, 4757-15-01, 4757-15-02, 4757-17-01, 4757-19-01, 4757-19-02, 4757-19-03, 4757-19-06, 4757-19-07, 4757-21-03, 4757-23-01, 4757-25-03, 4757-25-04 and 4757-29-01; and new rules 4757-5-01, 4757-5-02, 4757-5-03, 4757-5-04, 4757-5-05, 4757-5-06, 4757-5-07, 4757-5-08, 4757-5-09, 4757-5-10, 4757-5-11, 4757-5-12, 4757-13-01, 4757-13-07 and 4757-19-08 of the Ohio Administrative Code.

No Change:

- 4757-21-01 Five year rule review no changes made.
4757-21-02 Five year rule review no changes made.
4757-99-01 Five year rule review no changes made.

Rescinded:

- 4757-5-01 Rule broken into twelve separate rules see 4757-5-01 through 4757-5-12.
4757-13-01 Formatting change resulted in filing new rule see 4757-13-01.
4757-15-03 Rule incorporated into new rule 4757-5-12.
4757-21-04 Rule incorporated into new rule 4757-5-12.

Amended:

- 4757-1-01 Minor change to add web site posting of rule changes and public notice.
4757-1-02 Minor change to add web site posting of board meetings.
4757-1-03 Minor change to add web site posting of minutes of board meetings.
4757-1-04 Minor change to add online applications for licensure.
4757-1-06 Minor change to reflect personal information systems properly.
4757-3-01 Amended definition of graduate coursework; added definitions of supervising professional counselor, professional clinical counselor and independent social worker; added definitions of independent contractor, peer supervision and first hand knowledge.
4757-3-02 Added abbreviations for supervising professional counselor, professional clinical counselor and independent social worker
4757-06-01 Change of tag line for clarity.
4757-07-01 Change allows holder of two separate licenses to use the same CEU credit for renewal of both, if courses are approved for both licenses. Adds new language for waiver of CEUs for renewal process.
4757-09-02 Minor format change to comply with LSC rule drafting manual.
4757-09-03 Adds requirement for supervising independent social workers to obtain three of thirty biennial CEU hours in supervision.

- 4757-09-04 Changes from ten to fifteen of thirty required biennial hours of CEUs may be distance learning.
- 4757-09-05 Many minor changes; added paragraph on need for CEU programs to meet the requirements of the Americans with Disabilities Act; requires certificates of attendance have details of hour(s) earned in distance learning, ethics and/or supervision as appropriate; more completely delineates CEU provider status for approved graduate programs for counselors, social workers and MFTs.
- 4757-09-06 Amended the definition of distance learning; added definition of video conferencing; and delineates appropriate college courses for CEU credit.
- 4757-09-07 Minor rule drafting changes.
- 4757-11-03 Minor change to reflect job title change.
- 4757-11-04 Minor rule drafting changes.
- 4757-13-02 Adds requirement that applicants have passed the licensure examination in the last two years unless they are from out of state and hold a current license in that state.
- 4757-13-03 Clarifies language for supervised experience hours for licensure. Adds requirement for a clinical field evaluation at the half way point of supervised experience.
- 4757-13-05 Minor rule drafting changes.
- 4757-13-06 Change allows an applicant licensed in another state to qualify for a professional counselor license despite missing some graduate coursework, but is required to complete that coursework in order to renew in two years.
- 4757-15-01 Change adds supervision language to scope of practice.
- 4757-15-02 Change adds supervision language to scope of practice.
- 4757-17-01 Changes define qualifications for counselor supervision designation; defines requirements for counselor trainee and counselor resident status; and increases the training requirements to qualify for the supervision designation from ten to twenty-four CEUs or a graduate level course in supervision.
- 4757-19-01 Requires related degree applicants have a fieldwork course and how license certificates shall document academic degrees' attained.
- 4757-19-02 Minor changes for clarity and states how license certificates shall document academic degrees' attained.
- 4757-19-03 Minor changes for clarity.
- 4757-19-06 Minor changes for clarity.
- 4757-19-07 Minor changes for clarity.
- 4757-21-03 Adds supervision language to the scope of practice of independent social workers.
- 4757-23-01 Adds paragraph on requirements for independent social workers to obtain a supervision designation which will be required as of September 1, 2008 for training supervision of LSWs seeking supervised experience for licensure as LISWs.
- 4757-25-03 Change deletes the grandparenting provision that expire April 1, 2005.
- 4757-25-04 Change deletes the grandparenting provision that expire April 1, 2005.
- 4757-29-01 Change clarifies out-of-state supervised experience for licensure.

New:

- 4757-5-01 Rule defines Chapter 4757-5 as standards of ethical practice and professional conduct rules for board licensees.

- 4757-5-02 Rule replaces paragraph (B) of existing rule 4757-5-01 of the Administrative Code that addresses responsibility to clients/consumers of services. Requires licensees use techniques grounded in theory.
- 4757-5-03 Rule replaces paragraph (C) of existing rule 4757-5-01 of the Administrative Code that addresses multiple relationships affecting the licensee's judgment. This is a complete rewrite reflecting the results of a Psychology Board court case. Licensees are required to document why a multiple relationship is in the best interest of the client in the case notes should one exist.
- 4757-5-04 Rule replaces paragraph (D) of existing rule 4757-5-01 of the Administrative Code that addresses licensee/client sexual relationships. Increases the time frame from two to five years for sexual relationships with former clients.
- 4757-5-05 Rule replaces paragraph (E) of existing rule 4757-5-01 of the Administrative Code that addresses impaired practice.
- 4757-5-06 Rule replaces paragraph (F) of existing rule 4757-5-01 of the Administrative Code that addresses use of assessment and testing instruments.
- 4757-5-07 Rule replaces paragraph (G) of existing rule 4757-5-01 of the Administrative Code that addresses licensee research and publication standards.
- 4757-5-08 Rule replaces paragraph (H) of existing rule 4757-5-01 of the Administrative Code that addresses payment for services.
- 4757-5-09 Rule replaces paragraph (I) of existing rule 4757-5-01 of the Administrative Code that addresses record keeping.
- 4757-5-10 Rule replaces paragraph (J) of existing rule 4757-5-01 of the Administrative Code that addresses mandatory reporting requirements for unethical practice.
- 4757-5-11 Rule replaces paragraph (K) of existing rule 4757-5-01 of the Administrative Code that addresses requirement to keep board informed of current mailing address.
- 4757-5-12 Rule replaces existing rules 4757-15-03 and 4757-21-04 of the Administrative Code. Changes reflect more accurately the requirements of section 4757.12 of the Revised Code.
- 4757-13-01 Major rewrite with clarified language on degree requirements; practicum requirements; and internship requirements. Counseling program approval moved to new rule 4757-13-07
- 4757-13-07 Delineates process for approval of counselor degree programs for licensure.
- 4757-19-08 Details processing of social worker licensure applications.

The public hearing on the proposed actions of the Counselor, Social Worker & Marriage and Family Therapist Board is scheduled for Friday, July 20, 2007. The hearing will begin at 2:00 p.m. at the Columbus One Building, 10 West Broad Street Suite 550, 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