

GUIDELINES

A Publication of The Ohio Counseling Association

Summer, 2001

Vol. 27, No. 4



From the President's Desk

Anita P. Jackson, Ph.D., LPCC

This certainly has been a busy year. Many legislative issues have been explored, discussed, and addressed. Many of the state's counseling associations have worked together, listened to each other's perspectives, and now speak with one voice regarding the school counseling alternative licensure proposal. We have worked hard throughout the year to address the

varying needs of school counselors in training with and without teaching backgrounds. Discussions are underway to ensure that counseling programs would meet specific academic experiential needs of these different types of school counselors in training should the proposal be granted. With the assistance of Cynthia Snyder (Government Relations Consultant). Bill Nemec (Government Relations Chairperson), and other OCA members, OCA has addressed and provided testimony regarding Senate Bill 9 and Rule 3793:3-I-01 as proposed by the Ohio Department of Alcohol and Drug Addictions (ODADAS).

Senate Bill 9 would impose criminal penalties on mental health professionals who engage in sexual conduct or have sexual contact with clients. While OCA unequivocally condemns sexual relationships between therapists and clients, we oppose the bill as it currently stands. OCA believes that the various professional licensure boards, not county prosecutors, are the entities best suited to address this issue. The Ohio Counselor and Social Worker

Board (OCSWB) has been vigilant in taking disciplinary action against any licensed counselor who violates the professional code of ethics which expressly prohibits sexual relations between therapist and Furthermore. code professional of ethics prohibits this behavior with current, as well as former, clients for two years following the therapeuticclient relationship. The proposed bill sets no time limit, thus leaving open the possibility of a therapist terminating a client today and having sexual contact with the same client tomorrow. OCA feels that its code of ethics is more stringent and thus better able to protect the public.

OCA has been apprised of other legislative issues, both state and national, such as:

- Legislation which would require parity of insurance coverage for physical and mental illness,
- Legislation which provides that OCSWB issue specific licenses for marriage and family therapists,

The Mental Health Modernization Act which would update mental health benefits for many people, particularly the elderly, and

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From the President's Desk cont...

 The Elementary School Counseling Demonstration Act which would require and enhance school counseling in the nation's elementary schools.

There are many other issues. However, OCA has earnestly attempted to keep on top of the various legislative issues. We are working hard to establish a proactive legislative agenda so that we are not always simply reacting to issues as they come along, but setting direction for these issues. The proactive stance will involve all the OCA divisions and chapters. We certainly encourage your involvement and input as we do this.

OCA is also investigating strategies for enhancing our technology in ways that will more effectively benefit its members and their constituents. In doing so, we want to find more effective ways to serve you. Let us hear from you. Your input and ideas are highly valued and welcomed.

We are fast approaching the end of this fiscal year. I hope that each of you has a wonderful, enjoyable, and productive summer.

Richard Hazler, President Elect

C. Joe Saunders, Ph.D., LPCC

Congratulations to Richard Hazler, Ph.D., your choice for OCA President Elect, 2001-2002. As is usual when highly qualified candidates are presented, the balloting was very close. OCA is indeed privileged to be able to offer such persons of high caliber as Richard and his counterpart, JoLynn Carney, in leadership in OCA.

Leadership Conference July 7, 2001

President Elect Carol Pohly, who assumes the presidency of OCA on July 1, 2001, has established Saturday, July 7, as the date for the OCA Leadership Conference for

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the Executive Council. Included on the Executive Council is the Executive Committee, all chapter and division presidents, and newly appointed committee chairs. The conference will be held at the Ramada Plaza at Morse Rd. and Sinclair in Columbus, OH, 9 AM -4 PM.

Letter from the OSCA President

Dear Colleagues:

At the April Meeting of the State Board Education, of commission studying the proposed changes to school counselor licensure made its report. It is my understanding that the surveys that were returned to the Department of Education indicated a preference for school counselors with teaching experience. The commission recommendation, however, supported the recommended to remove the 2-year teaching requirement for school counselor licensure, but require candidates without teaching experience to complete an induction year under supervision of certified/licensed school counselor. This is the current position of the OSCA Board of Directors. Due to some physical limitations, I was unable to attend. I have asked Jean Barbara Howes and Slaine. Government Relations Co-Chair, to discuss their perspective of the meeting on the website in their report.

Representatives on both sides of this issue participated during the "Public Comment" section of the meeting. No action, however, was taken at this board meeting. My understanding is that the State Board of Education will be considering this and other licensure changes at the May meeting.

OSCA representatives, including myself. have met with Ohio representatives from the Counseling Association and Ohio Association for Counselor Education and Supervision to develop a series of recommended experiences and courses for candidates without teaching experience that would address some of the concerns of current school counselors. The experiences and program would be somewhat different for those entering school counseling programs with a background in education. induction year supervised by a licensed school counselor would continue to monitor the progress of a non-teaching school counselor candidate. Supervision could be provided by school counselors in or outside of the school district or by retired school counselors. important to remember that all candidates, with or without teaching experience, would have to complete the school counselor's masters program.

At times OSCA has been criticized for not taking a position of total opposition to the proposal. It is important to remember that school counselors in Ohio represent broad and varying levels of experiences and graduate programs. personally still feel that the bottom line for the organization is to assure that all Ohio children have access to a trained, licensed school counselor. If that could be met while maintaining the two years of teaching as a requirement, I would support it. However, school counseling positions often are unfilled. Instead, when a school district is unable to hire a school counselor, other individuals, i.e. social workers, interventionists, deans, lead teachers, student liaison's, etc. are used to fill the position. This is not in the best interest of the students or the

profession. The Board of Directors that voted to support the change, with an induction year, acted in what they believed was the best interest of the student and the This issue has profession. stimulated many school counselors to become more active and vocal. I applaud and support that activism. If possible, I encourage you to attend the May State Board of Education meeting and/or contact your representative. Be clear in your mind and heart about what you support and the future impact. Then do not let your involvement end with this issue.

School counselors need to be just as active and vocal with their local Boards of Education, State Board of Education, and legislative representatives about the important role school counselors play in the educational success of our children. School counselors should be mandated at all grade levels. There should he legislated a student/counselor ratio that is reasonable and effective. School counselors should not be used to administer or proctor construct the master schedule, or other non-counseling activities. They should be allowed to do the job they were trained to do and provide the vital social, emotional, educational support and resources that allow students to achieve academic success.

Share your day with your local state board representative or legislative representative. Educate them not only on your position on licensure but on the integral and necessary role school counselors play in the academic achievement of Ohio students. Let this be the beginning, not the end.

Sincerely, Alice M. Morgan M.Ed., PC President

Legislative Update

Cynthia Snyder, J.D.

The OCA government relations program has been active on a number of issues of interest to Ohio counselors. In addition to those mentioned in "From the President's Desk" are the following.

House Bill 33 (Olman, R-Maumee) requires equality of treatment for mental illness and addiction treatment under group health insurance contracts issued in Ohio. It is under consideration in the House Insurance Committee where it has had two hearings. business community and insurance industry remain adamantly opposed to this legislation. OCA and other proponents plan to mount a grassroots campaign once an actuarial study is completed and legislative attention is refocused on this bill.

During last year's Ohio General Assembly, HB 506 addressed an Ohio Supreme Court decision which found that the testimonial privilege between a physician, psychologist, counselor, or social worker is not waived in situations where the therapy is court ordered pursuant to a children services reunification plan in an action for dependency or neglect.

Apparently, the children services lobby strongly objected to this decision, feeling that in these cases a parent's communications with a counselor, etc., should be disclosed in proceedings to determine whether children should be returned to a home or placed elsewhere. The Attorney General's office drafted an amendment that waives the testimonial privilege between a school counselor, social worker, or counselor in situations where the treatment or services are court ordered as part of a children's

services case plan and are necessary or relevant dependency, neglect, abuse, or temporary or permanent custody decisions. This amendment was added to HB 506 and became effective April 10, 2001, with no public discussion of the amendment or its implications prior to its inclusion in the legislation. Counselors for whom this may present an issue should discuss the matter with their employer or attorney. Additional explanation is being sought at this time from the Attorney General's office and other interested parties.

Effective in February, the Ohio Department of Alcohol and Drug Addiction Services (ODADAS or the department) has assumed responsibility for credentialing of chemical dependency counselors (CCDCs) in Ohio. This function was formerly performed by the Ohio Credentialing Board, a private, non-profit association. In assuming this new role, ODADAS was directed by statute to promulgate rules enabling the department to carry out the credentialing function.

New rules that were approved by the Joint Committee on Agency Rule Review (JCARR) (which became effective in May) contain scopes of practice for CCDC I, II, and III which are problematic to many in the mental health counseling community. OCA President, Dr. Anita Jackson, testified at the JCARR hearing concerning these expansive scopes of practice, which are essentially the same for all levels of CCDCs other than registered candidates and CCDC III-E. While OCA lacked a legal basis for challenging these rules, the OCA leadership has been assured that ODADAS will seek its future discussions input on regarding the appropriate scope of

practice for CCDCs, and other relevant issues in the chemical dependency field. This will come in the context of a legislative initiative supported by ODADAS and the chemical dependency community that would establish a free standing state licensure board to license CCDCs. This legislation will also include a statutory scope of practice for each level of CCDC, as well as the education and training requirements for each. OCA leadership intends to be vigilant on this issue to insure that the scope of practice for CCDCs is appropriate, and that patients get the level of care they need from a professional trained to provide it.

Discussions continue at the State Board of Education level regarding the recognition of a second licensure track for persons interested in serving as school counselors. Current law requires that persons seeking to become school counselors must first complete two years of teaching experience.

The proposal being considered by the State Board of Education would allow a counselor to become a school counselor after completion of a master's degree in school counseling and an internship consisting of 600 contact hours in a school setting. The executive boards of the Ohio School Counselors Association, the Ohio Counseling Association, and the Ohio Association for Counselor Education and Supervision have all indicated that they would support the proposed alternative if it included an induction phase where the licensee without teaching experience would work under the supervision of a licensed school counselor during their first year as a school counselor. It should be noted that a local school district would retain the right to hire

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counselors with teaching experience if it so desired.

School counselors around the state have shared their views on this issue with the State Board of Education, ODE staff, and the Teacher Education and Certification Advisory Commission. A recommendation from the Board of Education is anticipated soon.

Thank You!

Thank you for your efforts with H. R. 1, which now includes the Elementary renewed School Counseling Demonstration Act (ESCDA). The House Education and Workforce Committee approved an amendment by Rep. Marge Roukema to reinstate H.R. ESCDA into 1. Elementary Secondary and Education Act. This victory in the House makes it more likely for a similar amendment to pass in the Thank Senate. your representatives!

--Jean Underfer-Babalis

Medicare Legislation and State Associations

As you know, legislation has been introduced in Congress--in the Senate (as S.B. 690) by Senator Paul Wellstone (D-MN), and in the House of Representatives (as H.R. 1522) by Rep. Pete Start (D-CA)-which would establish Medicare reimbursement for state-licensed professional counselors. legislation includes a number of other provisions which bring Medicare's mental health benefit up-to-date, and as a result the bills are supported by a wide range of health advocacy organizations.

ACA has established a new section of our government relations web page at http://capwiz.com/counseling which allows counselors to quickly identify their members of Congress and generate a letter or e-mail.

Please contact Senators Voinovich and DeWine and your U. S. Representative with letters of support.

Questions and Answers To OCSWB

Submitted by the Professional Development Committee

<u>Change in Privileged</u> <u>Communication Statute</u>

The board has recently become aware of a change in the Ohio law that directly affects licensed counselors and social workers. Ohio Revised Code 2317.02 now contains a seventh exemption to privileged communication. exemption reads, "(g) The testimony is sought in a civil action and concerns court-ordered treatment or services received by a patient as part of a case plan journalized under Section 2151.412 of the Revised Code or the courtordered treatment or services are necessary or relevant to dependency, neglect, or abuse or temporary or permanent custody proceedings under Chapter 2125 of the Revised Code." This law change became effective on April 10, 2001. (See "Legislative Update" this issue)

The Revised Code Sections refer to Ohio's child abuse and neglect laws and treatment services provided under case plans drafted by public children's services agencies. The board recommends that all licensees review this law change with employers, agencies, and

appropriate legal counsel to assure that they understand and comply with this new law.

CPSC Policy re: Disciplined Supervisors

At the March, 2001, meeting, the Counselor Professional Standards Committee adopted a new policy relating to its review and approval of training supervisors. committee denied the approval of training agreements instances where the supervision plan called for the supervision to be provided by a PCC who was currently under a board disciplinary Given the disciplinary order, the committee determined that the supervisor was not a qualified supervisor. This policy decision will be applied to

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all further training and clinical resident agreements reviewed by the Board.

Proposed Law Changes

On April 9, 2001, the board filed two proposed rule changes. The amendments are proposed in rule 4757-5-01 and 4757-17-01. In summary, the changes are:

4757-5-01 Further clarifies competency. informed, and confidentiality requirements of the Code of Ethical Practice and Professional Conduct rule. Creates new provision entitled conduct with clients which prohibits physical and verbal abuse and the use of derogatory language communications with and about clients.

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4757-17-01 Deletes language regarding requirements for supervision which was completed prior to June 30, 2000, and deletes reference to a supervision transfer form.

The board held a public hearing at 9:00 a.m. on May 17, 2001, at which time they received testimony related to these rule changes. A copy of the full text of the rule changes will be available on the board web site, www.state.oh.us/csw or by making a written request to the board office at 77 S. High St. 16th Floor, Columbus, OH 43266-0340.

Ohio Takes the Leadership Role in Supervision

Jean Underfer-Babalis, M.Ed./PCC

Ohio continues to lead the field of professional counseling, most recently by taking action to have supervisors of professional counselors to be licensed appropriately. accordingly and Ohio is one of the first states and one of the few states to make supervision a legal regulation. With onset of this change, the role of supervisor has shifted and become far more prominent than it previously had been. Immediately, Ohio Association for Counselor Education and Supervision (OACES) decided to investigate the issues related to the impact that these changes in supervision would have on professionals. It is also the intent of OACES to explore the needs of supervisors in Ohio as a result of these changes in supervision.

OACES has formed a task force to explore this vital area and offer relevant services to supervisors and the field of supervision. This task force is made up of gracious and knowledgeable individuals from our organization: JoLynn Carney, Daniel Cruikshanks, Thomas Rueth, and Dale Wayman. It is with great appreciation and excitement that this group has begun the process of addressing the needs of supervisors and supervision by initiating a needs survey for supervisors.

Supervisors, OACES would like to hear from you. Let us know what you need and want from an organization such as OACES to support you as you go forth to bring about competent, ethical, and capable professional counselors and professional clinical counselors. Please contact: Jean Underfer-Babalis, 3900 Sunforest Ct. Ste. 200, Toledo, OH 43623, 419-475-(day) email JOSEPH4ME@aol.com. OACES welcomes all input.

Chapter and Division News

Ohio Association for Specialists in Group Work

The "State Branch Award" offered by the Association for Specialists in Group Work (ASGW) was awarded to the Ohio Association for Specialists in Group Work (OASGW) at the American Counseling Association (ACA) Convention in San Antonio, TX. At the ASGW luncheon, I accepted this honor with pride and pleasure on behalf of OASGW and all of its members. OASGW received this honor for its efforts to revitalize this division and the advancements that OASGW has attained in recent I want to offer my appreciation to all OASGW past, present, and future members. Past members, who have offered a solid foundation for OASGW, present members, who have erected the walls for stability, and the

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future members who will fill in this structure.

Leadership for OASGW is being determined at this moment for 2001-2002. Voting ballots for the elections of officers have been sent to the membership.

OASGW has a full ballot to insure its leadership with excellent leaders and enthusiasm. Eileen Self will be taking the helm on July 1, 2001, as the new president of OASGW. It is with certainty and confidence that I turn over the presidency to Eileen. Thank you all for your support and effort in the past year. Please await the next OASGW newsletter with the results of this election.

Please feel free to contact me at 419-475-7821 during the day and 419-897-9543 in the evening, or at JOSEPH4ME@AOL.COM.

-- Jean Underfer-Babalis

Ohio Association for Spiritual, Ethical, and Religious Values in Counseling

OASERVIC has had a very active spring. The big event was the spring OASERVIC meeting and "Yoga & Counseling" retreat led by Angela Nicolosi and Elliott Ingersoll. The event was held Saturday, March 10th, at the Center for Wholeness in Columbus and was a great success. Eighteen people attended the all day event that focused on the relationship between yoga and counseling and instructed participants in beginning yoga exercises. Country Cottage Vegetarian Cooking catered a wonderful vegetarian lunch.

Work continues on the OASERVIC web site (www.csuohio.edu/oaservic) with the annotated bibliography of resources on counseling and spirituality and the member email

directory continuing to take shape. OASERVIC officers are also planning a presentation for submission to the All Ohio Counseling Conference to follow-up last year's presentation on the integration of counseling and spirituality.

Elections for president elect will be held by ballot in May.

Southeast Ohio Counseling Association

SEOCA held their annual conference, "Clinical Supervision: Responding to New Demands" on Saturday, May 19, 2001, at the Lancaster Campus of Ohio University in Lancaster, Ohio. This one day conference focused on issues specific to clinical supervision including presentations

such as, "Supervising from the Side of the Brain", "Multicultural Issues Supervision", and "Foundations of Clinical Supervision". There was also a panel discussion regarding current issues in supervision. Those presenting were Gail Blackshear, Randi Cohen, Tom Davis. Scott Hall, Tracy Leinbaugh, and Rose Quinones. The Ohio Counseling Association, the Central Ohio Counseling Association. and the Ohio Association for Multicultural Counseling and Development, and Southeast Ohio Counseling Association were co-sponsors of this conference.

SEOCA welcomes all current and prospective members at our executive council meetings. SEOCA meets monthly at various

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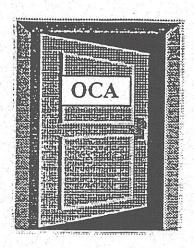
locations in Southeast Ohio. The month of April we met at the home of Cher Igelman in Lancaster.

Have a great summer!!

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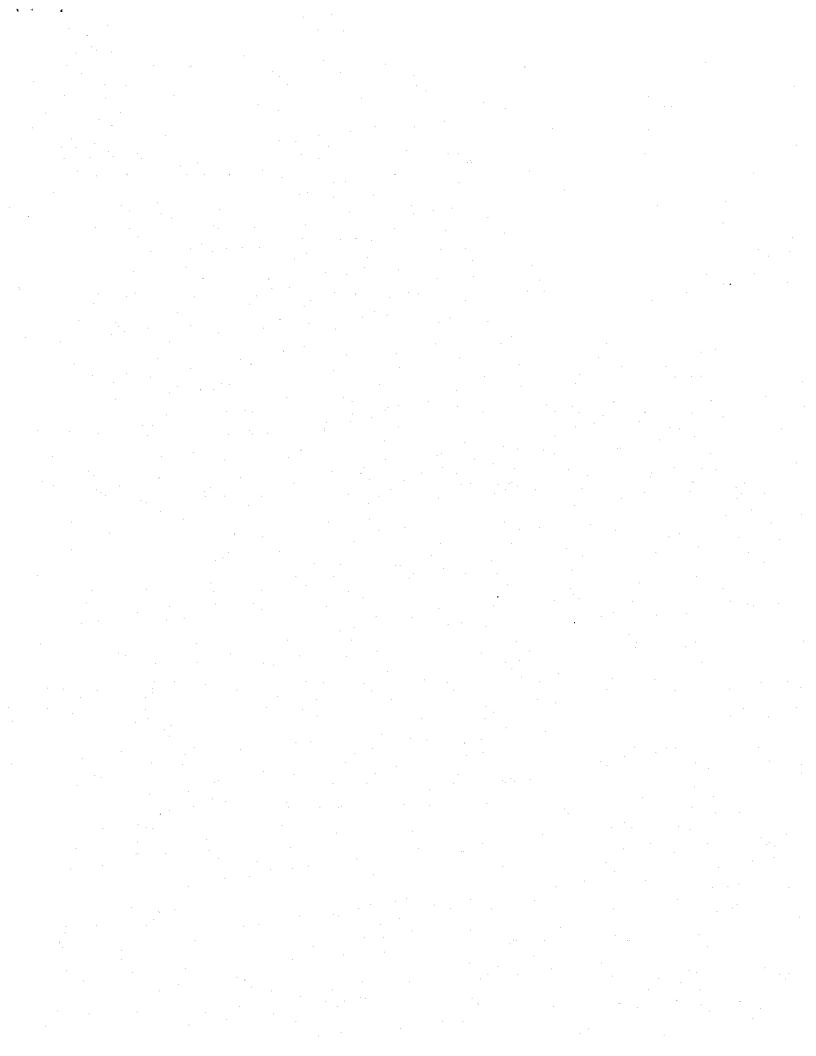
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WORKSHOP LOCATIONS & DATES

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