

The mission of OCA is to promote and advance the profession of counseling.

# SPECIAL EDITION

## Ohio Counselors' Ability to Diagnose In Jeopardy

VOLUME 32, NUMBER 4

SUMMER 2006

By Carolyn Towner, Towner Policy Group  
OCA Lobbyist

On April 5, 2006, representatives of the Towner Policy Group attended a meeting hosted by State Representative Clyde Evans and State Representative Shawn Webster concerning legislation the Counselor, Social Worker, and Marriage and Family Therapist Board (CSFMT Board) has asked Representative Evans to sponsor pertaining to the marriage and family therapy law. Representative Webster is the sponsor of a bill, House Bill 445, to also make changes to the law.

Changing the law has been an ongoing concern by the Marriage and Family Therapists Association (MFT) because the ability to diagnose and treat was not included in their scope of practice when their licensure law was originally created, but the ability to diagnose and treat was included in the legislation for independent marriage and family therapists. The CSFMT Board tried to take rules through the Joint Committee on Agency Rule Review to fix this problem, but were asked to withdraw the rules. The MFT Association has on numerous times tried to get an amendment to the law to clarify their ability to diagnose, but has not been successful in previous attempts.

Evans and Webster were included in the meeting by telephone conferencing. Others attending the meeting included representatives of the following Associations and Jim Rough, the Executive Director of the CSFMT Board: Ohio Child Caring Association, Ohio Psychological Association, Ohio Psychiatric Association, Ohio Social Workers Association, and the Ohio Mental Health Association.

The language being proposed by the CSFMT Board would amend the definition of "marriage and family therapy" to mean the **diagnosis, evaluation, assessment, counseling, management and treatment of mental and emotional disorders, whether cognitive, affective, or behavioral, within the context of marriage and family systems, through the professional application of marriage and family theories and techniques.** (diagnoses and mental disorders are being added)

The definition of "practice of marriage and family therapy" would also be revised to mean the **diagnosis, treatment, evaluation, assessment counseling, and management, of mental and emotional disorders, whether cognitive, affective or behavioral, within the context of marriage and family systems, to individuals, couples, and families, singly or in groups, whether those services are offered directly to the general public or through public or private organizations, for a fee, salary or other consideration through the professional application of marriage and family theories, therapies, and techniques, including, but not limited to psychotherapeutic theories, therapies and techniques that marriage and family therapists are educated and trained to perform.** The practice of marriage and family therapy does not mean any of the following:

- The treatment of biologically based psychiatric conditions without consultation with an appropriate medical doctor or psychiatrist;
- The use of psychotherapeutic techniques that are exclusive to the scope of practice of a licensed psychologist or psychiatrist;
- Any act that marriage and family therapists are not educated to perform.

The requirements for a marriage and family therapist graduate degree is being changed in the legislation to provide marriage and family therapist training to require the following instruction (the new requirements are underlined): research and evaluation; professional, legal and ethical responsibilities; ethics, marriage and family studies; marriage and family therapy including therapeutic theory and techniques for individuals, groups and families; human development; appraisal of individual's and families; and systems theory. Marriage and family therapist training must include instruction in at least the following areas from a relational systemic perspective:  
(1) Clinical psychopathology, personality, and abnormal behavior;  
(2) Evaluation of mental and emotional disorders;  
(3) Diagnosis of mental and emotional disorders;  
(4) Methods of prevention, intervention, and treatment of mental and emotional disorders.

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## Ohio Counseling Association 2005-2006

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### **Guidelines**

**SPRING 2006: VOLUME 32, NUMBER3**

**Guidelines** is the Ohio Counseling Association's quarterly newsletter published for its members.

We welcome your comments, suggestions, and news.

**Deadlines for submission are August 1; November 15; February 1; and May 2 of each year.**

Advertisements and articles are subject to editorial approval and revision.

OCA reserves the right to reject any ad or article for any reason.

Please address correspondence and submissions to:

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The Ohio Counseling Association is a branch of the American Counseling Association.

Check out OCA's new and improved website at its new web address

[www.ohiocounseling.org](http://www.ohiocounseling.org)



- \*Membership application
- \*Links to chapters and divisions
- \*Member services
- \* Upcoming events
- \* Executive Council members and their contact information

### *Join OCA for Life!*

Effective July 2005, a **Lifetime Membership in OCA** is available. This new membership category was approved by the OCA Executive Council and voted on by OCA membership in the spring of this year. The OCA Finance Committee has set the Lifetime Membership fee at \$500.00 for 2005-06. This will provide members with the opportunity to be members of OCA for life, without ever needing to renew their membership! Please obtain the new OCA Membership Form by accessing the OCA website at [www.ohiocounselingassoc.com](http://www.ohiocounselingassoc.com)

Another new OCA membership category is **Legacy Member** (what had previously been referred to as Lifetime Member). This is an honor extended only by the OCA Executive Council and



## A Message from Our President Dana Heller Levitt The Journey Continues

What a year the counseling profession in Ohio has experienced. We have faced many challenges and successes in a short period of time. The tremendous work that has taken place this year is evidence of our collaborative efforts as an organization. I recently shared our year's accomplishments with the executive council at our final meeting in April. As I looked back at our goals, it was rewarding to see how much we have managed during a time of constant movement in the profession.

Our goals were threefold this year: 1) Enhance and uphold the professional identity of counselors, 2) Commit to solidarity within the counseling profession and with affiliated professional organizations, and 3) Provide outstanding community services through counseling, outreach, and education. While broad in scope, the specific activities kept us busy. Here are a few highlights:

- Developed and adopted new mission statement
- Updated and enhanced OCA website ([www.ohiocounseling.org](http://www.ohiocounseling.org))
- Record attendance at the All Ohio Counselors Conference
- Launched a unified Counseling Awareness Month campaign
- Examined OCA structure and recommended bylaws changes (to be sent out to the membership for vote)
- Membership drive and enhancement
- Continued relationship development with the Ohio Counselor, Social Worker, and Marriage and Family Therapist Board

Our profession faces many challenges and changes in the near future. It is my hope that the work we began this year, and that we will continue under the leadership of Thelma Greaser in her presidency next year, will guide us towards continued success. Of particular note are the pending changes in licensure and professional regulation. Please take the time to read the information included in this issue to become up to date and lend a hand. We are in the process of investigating the formation of a Political Action Committee to have our voices heard more strongly with legislators and other key personnel. Our work with Towner Policy Group continues to be critical in our lobbying and advocacy efforts and viability of the counseling profession in Ohio. I hope that you will pass this information along to your colleagues who have not yet joined OCA and remind them of how their membership will help to protect their professional interests.

The journey of the past year has been one of learning and constant growth, both professionally and personally. In the spirit of leaving things at least a little better than we found them, I hope that we can all be proud of our efforts over the past year as we look ahead to the next leg of the journey.

## Nominate a Counselor for an OCA Award Holly Harper-Miller, OCA Awards Chair



Do you know a professional counselor who provides exceptional service as a practitioner? Do you know a counselor educator who is an excellent mentor or extraordinary scholar? Do you know an individual who has distinguished service to the counseling profession?

If you answered "YES" to any of the following questions, take a couple minutes and nominate a colleague for one of the following awards to be presented at the 2006 All Ohio Counselors Conference.

1. **CHARLES "CHUCK" WEAVER:** An individual who has long and distinguished service to the counseling profession and exemplary care for people.
2. **DAVE BROOKS:** An individual who is willing to serve, teaches responsibility, and creates new paths in the counseling profession.
3. **HERMAN J. PETERS:** An individual who promotes innovative ideas and theories in the counseling field and has a significant impact on future trends.
4. **SUSAN J. SEARS COUNSELOR OF THE YEAR:** An individual who has gone beyond the call of duty by demonstrating exceptional service as a practitioner and/or counselor educator, through the application of OCA goals.
5. **RESEARCH & WRITING:** An individual who has demonstrated extraordinary research and writing ability, as evidenced by journal publications for the counseling profession.

**Include the following information in your nomination:**

1. Your name, address, and phone number
2. Nominee's name, address, and phone number
3. A brief supporting statement for the award of no more than 250 words
4. A current vita and/or brief biographical sketch of the nominee

**The deadline for submissions is Friday, September 1<sup>st</sup>.** Submit the nominations or questions via e-mail to [hmliller@greenapple.com](mailto:hmliller@greenapple.com) or by mail to:

Holly Harper-Miller, LPC  
OCA Awards Chair  
300 Pleasantville Rd Ne  
Baltimore, OH 43105

## Ohio Counselors' Ability to Diagnose In Jeopardy (continued from page 1)

Finally, the Board's bill will amend the counselor's law and the social worker's law to allow an independent marriage and family therapist to supervise a professional counselor and a social worker:

**Section 4757.21.** *A person licensed under this chapter to practice as a professional clinical counselor or a professional counselor may diagnose and treat mental and emotional disorders, except that a professional counselor may do so only under the supervision of a psychologist, psychiatrist, professional clinical counselor, independent marriage and family therapist or independent social worker. A professional clinical counselor or professional counselor may engage in the private practice of professional counseling as an individual practitioner or as a member of a partnership or group practice.*

**Section 4757.26.** *(A) A person licensed under this chapter to practice as an independent social worker or a social worker may diagnose and treat mental and emotional disorders, except that a social worker may do so only under the supervision of a psychologist, psychiatrist, professional clinical counselor, independent marriage and family therapist, independent social worker, or registered nurse who holds a master's degree in psychiatric nursing.*

At the meeting, Jim Rough characterized the marriage and family therapists, counselors and social workers as all having the same education and he felt what is done for one should be done for all. Representative Evans did not want to hear that the education for one was not the same for all. Jim also passed out a letter signed by Susan Huss that was dated April 4, 2006 that stated "it is the general consensus of the Counselor Professional Standards Committee that Marriage and Family Therapists are appropriately trained to diagnose and treat mental and emotional disorders." Most people around the table thought the letter of support was from the Ohio Counseling Association, being unfamiliar with the Counselor Professional Standards Committee, and since Jim tends to blur the lines between the Board and the OCA.

Finally, our biggest fear has surfaced, Representative Webster may want to restrict our ability to assess biologically based illnesses and would like to apply this language to counselors, social workers and psychologists. On May 10, 2006, OCA lobbyists Carolyn Towner and Kristy Smith and OCA member Dr. Paul Granello attended a meeting with State Representative Shawn Webster (R- Hamilton). Originally, Representative Webster introduced House Bill 445 to prohibit independent MFTs from diagnosing and treating a mental and emotional disorder without supervision; however, he has since had a change of heart. He now intends to go forward with a bill to clarify that MFTs may diagnose and treat without supervision.

Representative Webster is under the impression that marriage and family therapists, professional clinical counselors, and social workers all have the same (or very similar) education. For this reason, he thinks it is unfair and inequitable that MFTs are being singled out (by being prohibited from diagnosing). He thinks that if the professional clinical counselors and social workers are able to diagnose and treat then the MFTs should be allowed to do the same.

In a previous meeting, Representative Webster had asked for a comparison of the educational backgrounds between the three professions. In response to his question, the lobbyists and Dr. Granello presented an outline of the educational differences between clinical counselors and MFTs to Representative Webster. Despite OCA's arguments that professional clinical counselors have far more clinical education in diagnosis, Representative Webster continues to believe that MFTs are currently capable of diagnosing and treating.

OCA's representatives asked that the educational standards of MFTs be beefed up and told Webster that allowing MFTs to diagnosis without the proper education would cause issues with the patient's quality of care. Webster was not concerned with this and indicated that his bill would not deal with raising the educational standards. Representative Webster also indicated that he would include language to allow MFTs to supervise counselors, despite our arguments. Since Representative Webster's House Bill 445 is currently in the House Health Committee, it is believed that any changes to the marriage and family therapists' law will be made in his bill by substituting the bill in Committee.



**BYLAWS AMENDMENT APPROVED**  
Jane Cox, Bylaws Chair

OCA members approved the following amendment to the OCA bylaws. The amendment was approved by the OCA Executive Council in January of 2006 and was introduced to members in the Spring 2006 OCA Guidelines. Members voted by returning a postcard ballot. Thanks to all who voted. The amendment which adds a Technology Committee as a Standing Committee reads as follows:

*Article IX – Committees*

**Section 1.**

k. The Technology Committee shall address OCA technology-related matters. The committee will advise the person maintaining the OCA website.

## CHAPTERS AND DIVISIONS



Northwest Ohio Counseling Association (NWOCA), Ohio Association for Specialists in Group Work (OASGW)  
Sponsor Sam Gladding Workshop

Martin Ritchie



Sam Gladding

Dr. Sam Gladding, Professor of Counseling at Wake Forest University and past president of ACA presented an all day workshop on Creativity and Group: Counseling Methods That Work on May 5 at The University of Toledo College of Health and Human Services. There were over 60 participants at the workshop that featured creative exercises and activities to be used at various stages of group development. Dr. Gladding was very entertaining and involved the audience in hands-on exercises and activities. There was plenty of laughter as Dr. Gladding demonstrated the use of humor while delivering his information.

In the afternoon, three professional counselors were recognized by NWOCA. Dr. Nancy Delaney received the Clinical Counselor of the Year Award in recognition for her on-going work in training physicians in communication skills at Toledo Hospital. Carmela "Mikki" Micallef received the School Counselor of the Year Award for her more than 20 years of service to schools including directing several grant-sponsored programs to assist children. Dr. Susan Huss of Bowling Green State University was the recipient of a special NWOCA Distinguished Service Award for her many years of service to the profession as a professional school counselor, counselor educator, and active member and leader in the professional organizations.

## CANDIDATE FOR OCA PRESIDENT-ELECT PROVIDES HIS VISION AND GOALS FOR OCA



Daniel R. Cruikshanks, Ph.D., PCC-S

I am deeply honored to be nominated for President Elect of the Ohio Counseling Association. As an active member of OCA since moving to Ohio in 2000, I have been continually impressed by the level of professionalism and professional engagement of counselors in Ohio. When it comes to counseling, Ohio is home to many of the most influential leaders of our field, and consequently, what we do in Ohio has implications for the field nationally. As a result, I take the role of the presidency of OCA very seriously. With this in mind, I'd like to spend a few moments outlining my agenda for OCA.

### Who are we and where do we go from here?

#### Counselor Identity in the 21<sup>st</sup> Century

As we move further into the 21<sup>st</sup> Century, it has become increasingly clear to me that counselor identity, once again, has become a critical concern for counselors. Perhaps more importantly, advocacy for professional identity has become increasingly a focus of attention.

Historically, counselors have struggled with counselor identity. By nature, ours is a field of diverse disciplines and foci. The term counselor, therefore, means different things to different practitioners. Even more important, however, is the problem that the term counselor is not always meaningful to the general public – those who utilize our services. I believe that we are not always clear about who we are professionally, and as a result, we are not as clear as we need to be to consumers of counseling services. The Ohio Counseling Association is in an ideal position to address this problem in at least two important ways. First, OCA can, and does, provide education to the public. We have been working on public awareness initiatives, but I believe we need to do more. Second, OCA can help its members and others in the field by clearly articulating counselor identity and providing direction and guidelines to assist its members better to advocate for the professional counselor identity.

When a licensed psychologist identifies to a member of the general public, that person will generally have a clear idea of what it means to be a psychologist. However, the same is not always true when a professional counselor identifies to a member of the general public. My goal is to move the title of professional counselor to the same level of recognition as the term psychologist. For the past six years, I have served as a member of the ACES Professional Advocacy Taskforce and a member of the Chi Sigma Iota Professional Advocacy Committee. Both of these groups actively are working on these issues. I have presented at numerous national, regional, state, and international conferences on the issue of advocacy and professional identity. As a member of the OCA Executive Council for the past several years, I have been involved in a variety of leadership activities in Ohio including ongoing discussions on counselor identity. I hope to have the opportunity to develop this work further as your president elect.

### DIRECTIONS FOR VOTING

Please use the ballot insert in this newsletter to vote for the OCA President-elect 2006-2007.

**Ballots must be post-marked by June 27, 2006**

## State House News by Towner Policy Group



OCA Lobbyists (L to R) Amanda Sines, Carolyn Towner, and Kristy Smith

### OCA Affirms Government Affairs Committee Positions

On April 22, 2006, the OCA Board affirmed the positions of the OCA Government Affairs Committee, Chaired by Carol Pohly, on the following issues:

#### Marriage and Family Therapist Legislation:

Oppose any attempt to limit a counselor's scope of practice by removing our ability to diagnose and treat biologically based illnesses.

Oppose any attempt to have independent marriage and family therapists supervise professional counselors under section 4757.21 of the Ohio Revised Code.

Oppose the ability of marriage and family therapists to diagnose and treat mental and emotional disorders.

#### Political Action Committee:

Recommend appointing a PAC Board for the creation of a political action committee for OCA and designating a Treasurer.

#### Failure to Report a Crime:

Recommend drafting legislation for introduction in 2007 to exempt a professional counselor and professional clinical counselor for reporting privileged information between the counselor and patient pertaining to when a felony has been committed.

### Legislature Pulls Plug on Board Consolidation

After nearly a year of fighting against the proposed licensure boards consolidation, the legislature finally heard our cries and removed all of the consolidation language from the budget corrections bill, House Bill 530, and restored the budgets for FY07.

In early March, House Bill 530 was introduced. Members of the "Save our Boards" Coalition, of which the OCA was a member, were surprised to see that the plan for consolidation under the Department of Commerce was included in the bill. Prior to introduction of the bill, it had been implied that the boards would be funded for 2007, but the issue of consolidation would be decided by Ohio's next Governor and Ohio General Assembly; instead, language to implement the plan was included in the bill. Members of the Coalition testified in opposition to the plan before the House Finance and Appropriations Committee in March, 2006.

The testimony was effective because the House Committee amended the bill and removed all consolidation language from the bill. When the bill was considered by the Ohio Senate, the Office of Budget and Management asked the provision be put back into the bill; however, the Ohio Senate, which had always been more sympathetic to our issue, did not execute the request. The battle for independent licensure boards has been won for now. Thank you to all of the OCA members who got engaged in this important issue. Your letters, postcards and phone calls made of the difference in this fight.

However, we are hearing that regulatory reform will be on the House of Representatives agenda for 2007.

### Mental Health Hold Legislation Heard in House Health Committee

On March 14, 2006, Senate Bill 213, OCA's mental health hold legislation, passed the Ohio Senate by a vote of 33 – 0. The bill has now been referred to the House Health Committee and a Sponsor hearing was held on May 17, 2006. A proponent and opponent hearing is scheduled for May 24, 2006 and it is likely the Ohio Psychiatric Association will oppose the legislation.

Senate Bill 213 will amend the current mental health hold law that applies to psychiatrists, psychologists, physicians, health officers, parole officers, police officers, and sheriffs to allow a licensed professional clinical counselor (LPCC) to have a person taken into custody and immediately transport the person to a hospital where the person may be held if the LPCC has reason to believe the person is mentally ill and represents a substantial risk of physical harm to their self or others if allowed to remain at liberty pending examination. The LPCC would be required to give the hospital a written statement stating the circumstances under which such person was taken into custody and the reasons for the LPCC's belief.

When the bill was in the Senate Health Committee, Carol Pohly, the Chair of OCA's Government Relations Committee, F. Robert Wilson, the Chair of the Government Relations Committee for the Ohio Mental Health Counselors' Association, and Cornelia Wilson, a licensed professional clinical counselor and advanced practice registered nurse and nursing professor at the University of Cincinnati, testified as proponents of the legislation.

Although no individual or organization testified against Senate Bill 213 in the Ohio Senate Committee, the Ohio Psychiatric

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(continued from page 6) Association has now taken a position opposing the bill. OCA members are urged to contact their State Representatives and members of the House Health Committee to urge support for Senate Bill 213. Counselors should explain why this bill is needed. Members of the House Health Committee include:

Representative John White, Chair ( R – Kettering )	Representative Shirley Smith, Ranking ( D – Cleveland )
Representative Jim Raussen, Vice Chair, ( R – Cincinnati )	Representative Catherine Barrett ( D – Cincinnati )
Representative Courtney Corbs ( R – Fairfield )	Representative Edna Brown ( D – Cleveland )
Representative Keith Faber ( R – Celina )	Representative Michael DeBose ( D – Cleveland )
Representative Larry Flowers ( R – Canal Winchester )	Representative Sandra Harwood ( D – Nile )
Representative Geoff Smith ( R – Upper Arlington )	Representative Lance Mason ( D – Shaker Heights )
Representative Jim Hoops ( R – Napoleon )	Representative Bob Otterman ( D – Akron )
Representative Earl Martin ( R – Avon Lake )	Representative Chris Redfern ( D – Port Clinton )
Representative Jon Peterson ( R – Delaware )	
Representative Ross McGregor ( R – Springfield )	
Representative Linda Reidelbach ( R – Worthington )	
Representative Michelle Schreider ( R – Cincinnati )	
Representative Shawn Webster ( R – Hamilton )	
Representative John Widowfield ( R – Cuyahoga Falls )	

The Honorable \_\_\_\_\_  
Ohio House of Representatives  
Riffe Center  
77 South High Street  
Columbus, Ohio 43266-0603

Dear Representative \_\_\_\_\_:

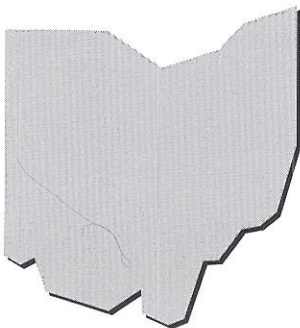
### **OSCA Representatives Testify Before Education Committees**

On May 16, 2006, OSCA President-Elect Kelley Schubert, OSCA Government Affairs Chair Beth Beal, and OSCA member Gretchen Turner testified on House Bill 565 and Senate Bill 311. These bills establish the Ohio Core curriculum, reinstate admission requirements and remedial courses in state universities, and implement other initiatives to enhance secondary and post-secondary education in Ohio.

Kelley Schubert testified before the Senate Education Committee on Senate Bill 311. Beth Beal testified before the House Education Committee on House Bill 565 and Gretchen Turner helped her answer questions. Their testimony conveyed OSCA's support for the legislation, which would create a more rigorous high school curriculum.

In their testimony, Schubert, Beal, and Turner also asked the Committee members to consider two amendments to the legislation. The first amendment would add language to the bill to encourage high schools to provide career and educational planning services for students. They suggested that language be inserted in to the bill establishing the "expansion of school counseling career and college planning programs in schools, access programs and other strategies to overcome financial, cultural, and organizational barriers that interfere with students planning for postsecondary education and that prevents students from obtaining a postsecondary education." The second amendment would change the references in the bill from "guidance counselor" to "school counselor." They explained that "guidance counselor" is an outdated label in their field.

The Committee members valued the opinions presented in the testimony, asked good questions and seemed receptive to looking at the requests for amendments. In particular, they seemed very open to the idea of changing the reference from "guidance counselor" to "school counselor." ■



### **Contact Your Lobbyists**

Carolyn Towner, Kristy Smith, and Amanda Sines  
33 North Third Street, Suite 320  
Columbus, Ohio 43215  
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carolyntowner@sbcglobal.net  
kristysmith@sbcglobal.net  
amandasines@sbcglobal.net

## Underfer Scholarship Fund



### THE OCA DONOR ROLL UNDERFER LEADERSHIP SCHOLARSHIP FUND

The **Underfer Scholarship Fund** is the legacy left by OCA Past-President, Jean Underfer-Babalis to honor the ideals of leadership instilled in her by her parents, Jerry and Jane Underfer. The first applications will be determined by the Awards Committee in 2005. Scholarships and grants will be awarded to assist both students and professional members of OCA in education, training, research and other related activities that will advance client welfare, strengthen the professional identity of counselors, and promote effective leadership. Tax deductible donations can be mailed to OCA. Checks should be made payable to OCA or the Ohio Counseling Association.

Jean Underfer-Babalis, 2004  
EOCA Past -Presidents, 2004  
Paul & Darcy Granello, 2005  
Martin Ritchie 2005  
Christopher Roseman, 2005

#### OCA Members

If you traveled to the Gulf Coast to assist with hurricane relief efforts, please contact Sharon Leonard, OCA Public Relations chair at [sheribonyo@sbcglobal.net](mailto:sheribonyo@sbcglobal.net)



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