



OHIO CSWMFT BOARD NEWS - Spring 2022

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Rules changes effective 3/21/2022

On March 21, 2022, rule changes went into effect. These changes had been in progress for nearly a year. Licensees were notified about the proposed changes several times. We appreciate the feedback we received regarding the changes. The rules reflect the recommendations of licensees and stakeholders. An updated Laws and Rules PDF, as well as links to the Revised Code and Administrative Code can be found at <https://cswmft.ohio.gov/for-professionals/resources-for-professionals/laws+and+rules>.

Several changes were made to the rules regarding continuing education. The Board is always seeking ways to improve the experience for licensees and applicants. One part of that commitment was our adoption of CE Broker. Using CE Broker has allowed us to process continuing education approvals, but also created a place where licensees can find approved continuing education programs. Currently there are over 20,000 approved programs. The Board also recognizes that many licensees earn CEs approved by licensure boards in other states or take continuing education programs offered by State of Ohio agencies. In response to the current state of continuing education, the Board passed several rule changes that took effect on March 21, 2022. Information regarding these proposed changes was shared with licenses several times over the last year. Below are details about the continuing education changes.

CE Rule Change Summary:

- Online programs taken after 6/19/2022 that are not preapproved or offered by a pre-approved provider will not be accepted for post-program approval.
- CE programs approved by other state counseling, social work, or MFT boards will be accepted by CSWMFT.



- CEs directly related to the scope of practice offered by other State of Ohio agencies or boards will be accepted by CSWMFT. The following agencies are covered by the rule change: Board of Nursing, State Medical Board of Ohio, Chemical Dependency Professionals Board, Department of Developmental Disabilities, Bureau of Workers Compensation, Department of Job and Family Services, State Board of Psychology, Department of Mental Health and Addiction Services, Department of Youth Services, Attorney General of Ohio, and Supreme Court of Ohio. By a vote of the Board, additional State of Ohio Boards or Departments may be granted approval.

Licensees can find approved CE programs by visiting <https://courses.cebroker.com/search/oh>.

Post Program Approval – Tiffany Coutts

Prior to June 19, 2022, many programs will remain eligible for post program approval. After June 19, in-person, out of state programs can be submitted for post program approval. The Board often receives documentation with post program approval requests that makes it difficult to determine if the program can be used to meet the CE requirements. To ensure a program can be accepted, the following information must be displayed on the certificate of completion when submitted with the request in CE Broker.

-Name of the Sponsoring Agency or Organization providing the course.

-Name of the course participant (licensee) and their License number.

-Title of the Program completed and the number of continuing education hours earned.

-Date the course was completed.

-City and State where the course was completed, if course was completed in another State (in person or online)

-Signature of the instructor or official representative of the sponsoring organization.

*If the certificate of completion does not include all the information above you must also submit documentation such as a brochure, agenda, or course/training description to verify how the program was completed, such as through distance learning methods (online-live interactive webinar, self or home study, on demand-recorded) or out of state in person/out of state online.

If the submission or the request does not meet the requirements, the request will be withdrawn to allow the licensee to resubmit again with the required documentation. If after a second submission the request does not meet the requirements, the request will be disapproved and unable to be resubmitted.

Teletherapy and MFT Supervision Rules



On April 7, 2022, proposed revisions were filed with Joint Committee on Agency Rule Review. This is the last step in making a change to the rule. The Teletherapy Rule, 4757-5-13, has been revised to include many of the flexibilities adopted during the pandemic. Rule 4757-29-01 is being revised to expand who can provide supervision to MFTs seeking an IMFT. When the Rule changes take effect, licensees with an LPCC-S or LISW-S, will be able to provide up to fifty hours of training supervision to an MFT seeking an IMFT. This rule change only applies to MFTs and does not apply to LSWs or LPCs. Since there are a greater number of LISW-S and LPCC-S supervisors available, the Board voted to continue requiring training supervision from an LISW-S for LSWs, and an LPCC-S for LPCs. More information about the changes can be found on the Board's [News and Event page](#).

Website Changes – Laws and Rules

We have updated our website to include not only a PDF of the laws and rules critical to CSWMFT licensees, but we have also added links to chapter of Ohio Revised Code and Ohio Administrative Code 4757. Check out the page at <https://cswmft.ohio.gov/for-professionals/resources-for-professionals/Laws+and+Rules>.

Submitting Documents to the Board

Have you submitted a transcript, letter of good standing, or other documents to the Board recently? If so, did you give the file a unique name? Taking a moment to give file a unique name, for example “Terry Therapist MSW Transcript” or “Allison Applicant APP-888999000 Ltr of Good Standing”, can help Board staff ensure your document is quickly associated with your license or application file.

Regarding documentation, do you keep copies of everything submitted to the Board? If not, please consider doing so. That will help in the future if you apply in another state or require information for an employer or insurer.

New Board Member

On February 25th, Governor DeWine appointed Jerry Strausbaugh, EdD, LPCC-S, to the Board. Jerry replaces Ryan Pickut, LPCC-S. Jerry is the Executive Director of Appleseed Community Mental Health Center, located in Ashland, Ohio. In addition to serving as Appleseed’s Executive Director, Jerry has served as the clinical director and as a counselor at Appleseed. Board Members and staff look forward to working with Jerry.

Upcoming Board Meeting Dates

All meetings are in-person. Details regarding the meeting locations and times are available on the Board’s website prior to the meeting.



- May 19, 2022
- July 21, 2022
- September 15, 2022
- November 10, 2022

Ethics: Custody matters- Can I make Recommendations? - Tracey Hosom

What do you do when you are asked to provide a recommendation for your minor client regarding who should have custody or visitation?

If you have been retained to assess the minor(s), parents, and other parties, as part of doing a complete assessment, then it would be appropriate to make a recommendation. However, if you are providing treatment to the minor client, it would not be appropriate to make a recommendation. In fact, it is a violation of the Code of Ethics.

Around 50% of the complaints – and many questions asked of investigators - received by the Board involve custody dispute issues. This number has not decreased since the Board's Rule 4757-6-01 (Reports prepared for court review), went into effect in April 2004. Many counselors, social workers, and marriage and family therapists treat children whose parents are divorced and involved in contentious custody battles. You may find yourself in a situation where one or the other of the child's parents (or their attorney), Children's Protective Services, or a court appointed Guardian Ad Litem, requests or subpoenas you to testify or provide a written recommendation concerning custody or visitation.

When I get calls from practitioners who are uncertain as to how they should respond to these requests, I always ask them: "What is your role?" And secondly, "Who is the client?" For example, if you have been counseling a child, they have an established therapeutic relationship with you, making them the client. You can make statements in writing or in testimony concerning the facts of treatment (dates, diagnosis, treatment goals):

Section 475706-01 (F): A counselor, social worker, or marriage and family therapist shall not conduct a court evaluation in a case in which that counselor, social worker, or marriage and family therapist served in a therapeutic role for the client or his or her immediate family or has had other involvement that may compromise the counselor, social worker, or marriage and family therapist's objectivity. This should not preclude a counselor, social worker, or marriage and family therapist from testifying in the case as a fact witness concerning treatment...



Part of your role in this situation is to educate the parent, and/ or attorney, as to your professional code of ethics, and what you are, or are not, able to do. The rule also addresses how a licensee required by a judge to make a recommendation should do so:

4757-6-01 (F) (2): Licensees asked by a judge to make a recommendation in a custody, visitation and/or guardianship hearing, not hired by the court to do so, shall cite their role as a client's therapist and note that any testimony would be an ethics violation of their license and they can only testify to facts that they know. Any recommendation would be based on limited facts and not within their role as this client's therapist. However, if ordered by the court to make a recommendation after stating these limitations, the licensee shall follow the court's order in order to avoid being found in contempt of court.

The board has disciplined licensees who have stepped outside of their role in custody matters. Remember, any time you find yourself in this situation and are unsure as to how to proceed, seek supervision, consult with peers, seek legal advice from an attorney familiar with your professional practice, and as always feel free to contact the Board.

Before You Contact the Board

Board staff are happy to help with a range of questions. However, it is important to keep some things in mind when contacting the Board that can help with finding answers to your questions:

- The Board's Executive Director, Deputy Director, nor other staff members can offer Board "positions" on any issues.
- Board Members and Board staff cannot offer legal advice and are limited in the advice they can provide regarding how to handle some specific professional situation.
- Answers to most questions posed to staff can be answered by reviewing information available on the Board website as well as reviewing the Law and Rules as established in the Ohio Revised Code/Ohio Administrative Code 4757.
- The website has a robust search function. Click on the magnifying glass on any page to conduct a search.
- The Board cannot provide referrals to specific attorneys.
- The Board does not keep a list of or provide referrals to licensed Counselors, Social Workers, or Marriage and Family Therapists.
- The Board does not keep a list of continuing education providers, but we do recommend the use of CE Broker to search for courses from approved providers that meet your specific need.
- Check CE Broker before contacting the Board to determine if a CE is approved. If it is approved, it is likely listed in CE Broker.
- Licensees and members of the public are welcome to contact the Board (e-mails are preferred as it provides staff an opportunity to provide links to resources) staff with questions, keeping this summary in mind.



Disciplined Licensees (March 2022 Board Meeting)

Social Workers:

- Tiffani Blake (LSW) Failure to Cooperate. License Revoked.
- Brenda Chamberlain (LSW) Competency. Supervision
- Tiffany McNamara (LSW) Non-sexual Boundaries. Supervision and personal counseling

Counselors:

- Janice Elzey (LPC) Scope of practice. License retired.
- Jamie Heineman (LPCC) Sexual boundaries. License Surrendered.
- Courtney Huffman (LPC) Record keeping/scope of practice. Mandated supervision.
- Gary Nicholl (LPCC) Non-sexual boundaries. Personal counseling and supervision.
- Brian Sambecki (LPCC) Non-sexual boundaries. Personal counseling and supervision.
- Jacob Shanklin (LPCC) Misdemeanor convictions in course of practice. License surrendered.
- Cherarae Weisend (LPCC) Confidentiality/Standards of Care. Supervision and personal counseling.