



# Ohio

## Chemical Dependency Professionals Board

### OHIO CHEMICAL DEPENDENCY PROFESSIONALS BOARD POSITION STATEMENT

#### RE: Code of Ethical Practice and Professional Conduct for self-reporting impairment issues

##### **Purpose:**

The purpose of this Position Statement is to provide direction in regard to Codes of Ethical Practice and Professional Conduct regarding self-reporting of impairment to the OCDP Board, and provide clarification regarding the Board's application of the relevant Ohio Administrative Code (OAC) sections

##### **Code Language:**

OAC section (4758-8-01)(B)(10)

(a) A licensee or certificate holder shall not undertake or continue a professional counseling role when the judgment, competence and/or objectivity of the license is impaired due to mental, emotional, physiological, pharmacological, or substance abuse 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 another physical health related adversity that interferes with the licensee or certificate holder's 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. ,

See also OAC section 4758-11.

##### **Application:**

The OCDP Board recognizes that working in the addiction field can be a difficult and sometimes traumatizing for the professionals in the field. We also recognize that addiction is a disease, relapse may occur, and mental health issues may be triggered. We strive to support professionals who are in a recovery process while protecting the clients to whom our professionals serve. License or Certificate holders who self-report impairment, at the Board's discernment, may not be in violation of the code of ethics if the following criteria is met:

- The person must self-report voluntarily and that report must be the only report submitted to the Board.
- The license or certificate holder must self-report voluntarily and that report must be the only report submitted to the Board.
- The impairment has not demonstratively negatively impacted clients.
- The license or certificate holder must contact the board and place their license in inactive status until they have completed an assessment, followed recommendations of that assessment, and followed the steps outlined below.
- The process for reinstatement of the license must follow the steps in 4758-11-02 as paraphrased below:
  - Certification from the designated OHMHAS treatment provider that the license or certificate holder has successfully completed any required treatment

- Evidence of continuing compliance with an aftercare contract
- Written reports, as requested by the Board, indicating that the license or certificate holder has received a clinical assessment and that they have been found capable of practicing according to acceptable and prevailing standards of care (fitness to practice).

“Fitness to practice” is further defined as a combination of skills, knowledge, attitudes, and health that is needed to effectively perform the essential duties of a clinician without any evidence of impairment.

This positions statement is for Informational and/or Educational guidance purposes only, are not legal advice, and is not a substitute for legal advice, and is not a substitution for seeking legal counsel.

<b>Title:</b>	Code of Ethical Practice and Professional Conduct for self-reporting impairment
<b>Type:</b>	Position Statement
<b>Related References:</b>	n/a
<b>Legal References:</b>	See references within Position Statement, if any. ORC: 4758.20 OAC: 4758-8-01, 4758-11
<b>Supersedes:</b>	Prior versions.
<b>Effective Date:</b>	August 20, 2021
<b>Next Review Date:*</b>	July 1, 2023
<b>Implementation Date:</b>	August 20, 2021
<b>Approved:</b>	Jill Smock, Executive Director on behalf of the Board by direct authority    (ratification of action by the Board on 8.20.21)

\* The Executive Director, or designee, shall review position, policy, and procedures statements (collectively Statements) on or before the stated review date listed above and if applicable, make any necessary revisions in accordance with any Board Statements regarding development, review, dissemination and acknowledgement.

Pursuant to Ohio Revised Code 4758.15, the Executive Director (ED) has been granted discretionary authority on behalf of the Board to develop, implement, maintain, and amend position statements to support rules, policies, and position statements.

Unless otherwise stated, all employees, Board members, and contractors for the Board (collectively Board employees) shall follow all laws, rules, policies, and procedures. A Board employee may be subject to discipline up to and including removal for violating laws, rules, policies, and procedures.

Definitions as stated in Chapters 4758 of the Ohio Revised Code (ORC) and Ohio Administrative Code (OAC) are incorporated by reference herein.

#### Helpful Links

Ohio Revised Code: <https://codes.ohio.gov/ohio-revised-code/chapter-4758>

Ohio Administrative Code: <https://codes.ohio.gov/ohio-administrative-code/4758>