



JOHN R. KASICH
GOVERNOR
STATE OF OHIO

Executive Order 2013-02K

The Emergency Amendment of Rules 4758-2-01, 4758-3-01, 4758-4-01, 4758-5-01, 4758-5-03, 4758-5-04, 4758-5-05, 4758-5-06, 4758-5-07, 4758-5-08, 4758-5-09, 4758-5-10, 4758-8-01, 4758-8-02, 4758-8-03, 4758-10-01, 4758-13-01, 4758-13-02, 4758-13-04, 4758-13-05, and 4758-15-01 of the Ohio Administrative Code
by the Ohio Chemical Dependency Professionals Board

WHEREAS, in December 2012, the 129th General Assembly in House Bill 284 adopted amendments to Chapter 4758 of the Ohio Revised Code, the chapter regulating licensure and other requirements concerning chemical dependency professionals.

WHEREAS, the amendments to Sections 4758.01, 4758.02, 4758.10, 4758.20, 4758.21, 4758.22, 4758.221, 4758.23, 4758.24, 4758.241, 4758.26, 4758.27, 4758.30, 4758.39, 4758.40, 4758.41, 4758.42, 4758.43, 4758.44, 4758.45, 4758.46, 4758.47, 4758.51, 4758.52, 4758.54, 4758.55, 4758.56, 4758.561, 4758.59, 4758.61, 4758.70 of the Revised Code take effect on March 22, 2013.

WHEREAS, Sections 4758.20, 4758.21, 4758.23, 4758.24, 4758.26, 4758.30, 4758.39, 4758.40, 4758.41, 4758.42, 4758.44, 4758.45, 4758.46, 4758.52 of the Revised Code authorize the Ohio Chemical Dependency Professionals Board (“OCDP Board”) to adopt rules in Chapter 4758 of the Administrative Code to further define and implement the amendments to Chapter 4758 of the Ohio Revised Code.

WHEREAS, the OCDP Board drafted Rules 4758-2-01, 4758-3-01, 4758-4-01, 4758-5-01, 4758-5-03, 4758-5-04, 4758-5-05, 4758-5-06, 4758-5-07, 4758-5-08, 4758-5-09, 4758-5-10, 4758-8-01, 4758-8-02, 4758-8-03, 4758-10-01, 4758-13-01, 4758-13-02, 4758-13-04, 4758-13-05, and 4758-15-01 of the Ohio Administrative Code as authorized by amended Section 4758.20 of the Revised Code referenced above, and with Chapter 119 of the Revised Code, and those draft rules have been submitted to the Joint Committee on Agency Rule Review.

WHEREAS, the OCDP Board seeks to immediately implement the rule amendments so that the updated requirements for credentialing and employment for chemical dependency professionals can be applied contemporaneously with the effective date of the statute which authorized the amended rules.

WHEREAS, Section 119.03(F) of the Ohio Revised Code authorizes the Governor, on the request of a state agency, to suspend the normal rule-making procedures with respect to specific rules when an emergency exists necessitating the immediate

adoption, amendment, or rescission of such rules. When such a determination is made, the agency may immediately adopt, amend, or rescind such rules, but the rules are only valid for ninety (90) days.

WHEREAS, the OCDP Board has requested a determination whether an emergency exists that requires amended Rules 4758-2-01, 4758-3-01, 4758-4-01, 4758-5-01, 4758-5-03, 4758-5-04, 4758-5-05, 4758-5-06, 4758-5-07, 4758-5-08, 4758-5-09, 4758-5-10, 4758-8-01, 4758-8-02, 4758-8-03, 4758-10-01, 4758-13-01, 4758-13-02, 4758-13-04, 4758-13-05, and 4758-15-01 of the Ohio Administrative Code to become effective immediately so that the updated requirements for credentialing and employment for chemical dependency professionals can be applied contemporaneously with the effective date of the statute which authorized the amended rules.

NOW THEREFORE, I, John R. Kasich, Governor of the State of Ohio, have determined, upon the request of the OCDP Board, that an emergency exists requiring the immediate amendment of Rules 4758-2-01, 4758-3-01, 4758-4-01, 4758-5-01, 4758-5-03, 4758-5-04, 4758-5-05, 4758-5-06, 4758-5-07, 4758-5-08, 4758-5-09, 4758-5-10, 4758-8-01, 4758-8-02, 4758-8-03, 4758-10-01, 4758-13-01, 4758-13-02, 4758-13-04, 4758-13-05, and 4758-15-01 of the Ohio Administrative Code. Further, I hereby order that the procedures prescribed by Section 119.03 of the Ohio Revised Code with respect to the amendment of these specified rules be suspended and the OCDP Board be permitted to amend these rules immediately by electronically filing them with the Secretary of State, the Director of the Legislative Service Commission, and the Joint Committee on Agency Rule Review.

Further, I hereby order that this Executive Order be filed in electronic form with the OCDP Board, the Secretary of State, the Director of the Legislative Service Commission, and the Joint Committee on Agency Rule Review.

I signed this Executive Order on March 22, 2013, in Columbus, Ohio, and it will expire at the end of the ninetieth day it is in effect.



John R. Kasich, Governor

ATTEST:

Jon Husted, Secretary of State