

Chemical Dependency Professionals Board

Senate Finance and Financial Institutions Committee

*Holly Wilson, Budget Analyst
Legislative Service Commission*

May 4, 2005

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LSC Redbook

for the

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May 4, 2005

Chemical Dependency Professionals Board

- Governor's recommended budget calls for transferring the Board's funding and duties to the Department of Health in FY 2007
- As newly created board becomes finalized, costs from board meetings expected to decrease

OVERVIEW

The Chemical Dependency Professionals Board (CDP) is responsible for administering and enforcing the practice of chemical dependency counseling as defined in Chapter 4758. of the Ohio Revised Code. The Board received authority of the credentialing process from the Ohio Department of Alcohol and Drug Addiction Services (ODADAS) at the start of FY 2005. Much of FYs 2006 and 2007 will be directed toward this period of transition to ensure that credentialed professionals retain their ability to practice in the field.

The Board is a twelve-member panel composed of: four individuals who hold a valid independent chemical dependency counselor license, two individuals who hold a valid chemical dependency counselor III license, one individual who holds a valid chemical dependency counselor II license, two individuals who hold a valid prevention specialist II certificate or prevention specialist I certificate, one individual who is authorized under Chapter 4731. of the Revised Code to practice medicine and surgery or osteopathic medicine and surgery and has experience practicing in a field related to chemical dependency counseling. In addition to the 12 board members, the Board employs a staff of 4.3 full-time equivalents (FTEs) to perform licensure and ethics enforcement activities. The mission of the Chemical Dependency Professionals Board is to assure professionally competent chemical dependency professionals in Ohio by regulating examinations and licensure, enforcing continuing education compliance, monitoring continuing education quality, renewal of licensure, and enforcement of the laws and administrative rules as found in Chapter 4758. of the Ohio Revised Code.

In FY 2004, the Board was still in the early stages of creation. Development of administrative rules, board bylaws, hiring an executive director, as well as establishing policies and procedures were the crux of the work performed. In FY 2005, the Board received formal authority from ODADAS for the credentialing process. The Board hired a deputy director, an administrative assistant, and a certification/licensing examiner to coordinate a review, processing, and licensing functions now under board authority. The Board anticipates some costs to decrease or level off over the FY 2006-2007 biennium. For example, Board member pay and travel expenses should decrease. As a newly created board, the members devoted a considerable amount of time finalizing and implementing new policies and procedures. As they move into FY 2006, they anticipate that the need for meetings such as these will decline.

4K9 Fund

The Chemical Dependency Professionals Board is part of the 4K9 Fund group. The 4K9 Fund (Occupational Licensing and Regulatory Fund) is a General Services Fund that is a repository for license

fees and other assessments collected by the state's professional and occupational licensing boards. The 4K9 Fund was established by Am. Sub. H.B. 152 of the 120th General Assembly. Prior to the creation of the fund, appropriations for each licensing board were made from the GRF. This created some problems as some boards contributed more revenues than they expended and others had to be subsidized by the GRF since the revenues generated did not meet their expenditures. The 4K9 Fund eliminated these problems. The philosophy of the fund is that each board must generate enough revenues to cover their expenses. It is also quite common for the boards to develop a surplus in the fund to cover unforeseen economic hardships.

Under ODADAS, credentialing revenue in FY 2002 was \$460,000 and in FY 2003 was \$495,000. The Board estimates revenue for FY 2004 to be \$460,000. This fluctuation may reflect that in both FY 2002 and FY 2004 the credentialing process experienced transition from one authority to another; from the Ohio Credential Board to ODADAS in FY 2002 and from ODADAS to the Chemical Dependency Professionals Board in FY 2004. In the years of transition, chemical dependency professionals tended to hold off renewing or advancing. This is also true of the transition to licensure. The Board expects the number of chemical dependency professionals credentialed by the Board to grow as treatment professionals move from certification to licensure and the prevention profession continues to develop.

Licensure

The licensure activities of the Board include the testing and certification of chemical dependency counselors, as well as renewing the licenses of practicing chemical dependency counselors annually. Currently the Board regulates 8,230 chemical dependency professionals.

Accreditation Process

The Chemical Dependency Professionals Board monitors and provides approval for various education events for chemical dependency professionals throughout Ohio. The Board perceives tremendous growth potential in this area and foresees an expansion and improvement of service levels in coming years. Thus far, the Board has begun to create a new accreditation process, which will allow colleges and universities to seek board approval of their Master's programs. The Board sees this undertaking as essential to the growth of its field and to filling gaps in the workforce. To this end, the Board has been asked by the Ohio chapter of the National Association of Alcohol and Drug Abuse Counselors to participate in a workforce development study with the goal of identifying pathways to recruit and retain alcohol and other drug treatment, intervention, and prevention workforce. That said, however, based on the FY 2006-2007 biennial budget constraints, as well as the impending transitioning tasks that must be completed, the Board cannot give this task the same level of priority as licensure.

Issues Facing the Boards

The boards have been working in conjunction with the Department of Administrative Services to implement a licensing system (CAVU). This system has been implemented for many of the boards. The boards are responsible for the costs of the system.

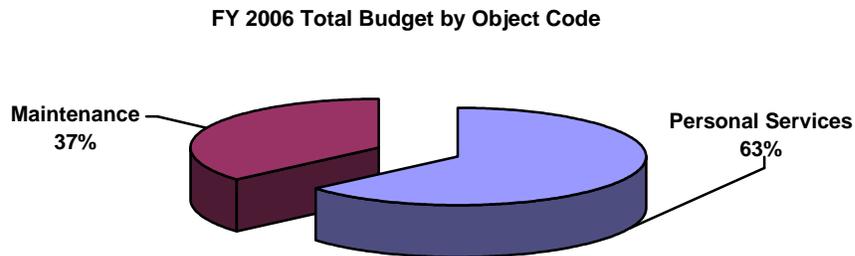
The boards are faced with increasing payroll costs, as a result of the negotiated 4% increase in salary for state employees. Boards have also had to absorb increased administrative costs charged by other state agencies. Many boards contracted for services that were once provided for free such as lock-box services and computer technical support. Currently, the boards share the services and costs of an IT support person.

Board Consolidation

The executive budget recommends that the 27 independent occupational licensing boards be absorbed into the departments of Health, Commerce, and Public Safety. As such, the Executive recommended no funding in FY 2007 for the Boards. The specifics of the consolidation will be addressed during FY 2006 by a task force consisting of the agencies acquiring the boards, as well as the Department of Administrative Services, the Office of Budget and Management (OBM), and the Governor's Office. According to OBM's *Blue Book*, current staff will be retained through FY 2006 and a hiring freeze and early retirement incentives will be offered to regulatory board staff. These incentives should result in staff reductions. Effective July 1, 2006, all remaining regulatory board staff will be transferred to the relevant agency. Board and commission members for each board will be retained and continue to serve in the manner in which they were appointed.

Governor's Recommendation

The greatest challenge the Chemical Dependency Professionals Board faces in the FY 2006-2007 biennium is maintaining adequate staffing levels to provide the necessary functions and services of licensing while working within the confines of the appropriation. The Board has seen an increase in fixed costs such as staffing, rent, telecommunications and support functions received through the Department of Administrative Services' Central Service Agency.



Staffing Levels

Chemical Dependency Staffing Levels						
Program Series/Division	2002	2003	2004	2005	Estimated	
					2006	2007
License Registration and Enforcement	N/A	N/A	N/A	4	4.3	4.2*
For FY 2006, .3 FTEs is based on 11 board members being paid \$19.55 for 46.5 hours each. For FY 2007, .2 FTEs is based on 11 board members being paid \$19.55 for 42.7 hours.						

* In FY 2007, the 27 occupational licensing boards will be consolidated into various agencies. According to OBM, current staff will be retained through FY 2006. However, it is expected that some staff reductions will occur as a result of the implementation of a hiring freeze and early retirement incentives. Remaining staff for the Chemical Dependency Professionals Board will be transferred to the Department of Health in FY 2007. Board members will be retained.

The Board received authority of the credentialing process from the Ohio Department of Alcohol and Drug Addiction Services at the start of FY 2005. The Board hired an executive director, a deputy director, an administrative assistant, and a certification/licensing examiner to coordinate review, processing, and licensing functions now under board authority.

The Board anticipates some costs to decrease or level off over the FY 2006-2007 biennium. For example, the Board member pay and travel expenses should see a decrease. As a newly created board, the members devoted a considerable amount of time finalizing and implementing new policies and procedures. As they move into FY 2006, they anticipate that the need for meetings such as these will decline.

ANALYSIS OF EXECUTIVE PROPOSAL

License/Registration/Enforcement

Purpose: To license and certify chemical dependency professionals and alcohol and drug prevention professionals in Ohio.

The following table shows the line items that are used to fund the License/Registration/Enforcement program series, as well as the Governor’s recommended funding levels.

Fund	ALI	Title	FY 2006	FY 2007
General Services Fund				
4K9	930-609	Operating Expenses	\$452,976	\$0
General Services Fund Subtotal			\$452,976	\$0
Total Funding: License/Registration/Enforcement			\$452,976	\$0

This analysis focuses on the following specific programs within the License/Registration/Enforcement program series:

License/Registration/Enforcement

Program Description: The Board’s responsibilities as laid out in Ohio Revised Code Chapter 4758. are to regulate the licensing and certification of chemical dependency counselors and prevention specialists, issue and renew those licenses and certifications, investigate ethics complaints in order to protect the interests of Ohioans who receive alcohol and other drug prevention and treatment services, and review and approve the content of education and training as it pertains to chemical dependency professionals and Alcohol and Other Drug (AOD) prevention professionals.

Implication of Executive Recommendation: The greatest challenge the Chemical Dependency Professionals Board faces in the FY 2006-2007 biennium is maintaining adequate staffing levels to provide the necessary functions and services of licensing while working within the confines of the appropriation. The Board has seen an increase in fixed costs such as staffing, rent, telecommunications, and support functions received through the Department of Administrative Services' Central Service Agency.

Temporary and Permanent Law Provisions: Consolidation of Regulatory Boards (Section 315.03). The executive budget contains a temporary law provision that: (1) expresses the intent to consolidate 16 health-related regulatory boards, including the Chemical Dependency Professionals Board, within the Department of Health not later than July 1, 2006, (2) creates a transition team to develop a plan to ensure the smooth and timely transition of those boards into the Department, and (3) expresses the intent to introduce a bill in FY 2006 that will include the necessary statutory changes to effect the consolidation and include revised appropriations for FY 2007.

REQUESTS NOT FUNDED

The difference between what the Chemical Dependency Professionals Board requested for its biennial budget and the Governor’s recommended funding levels, is summarized in the table below.

Continuation Funding Request						
Fund Line Item	FY 2006 Requested	FY 2006 Recommended	Difference	FY 2007 Requested	FY 2007 Recommended	Difference
4K9 930-609	\$495,000	\$452,976	(\$42,024)	\$495,000	\$0	(\$495,000)

The amount of funding that the Board requested in each of FYs 2006 and 2007 reflected its calculation of the future cost of maintaining current service and staffing levels. The executive budget would move the Board, along with 16 other licensing and regulatory boards, into the Department of Health. The biggest challenge the consolidation presents for the Chemical Dependency Professionals Board is the uncertainty of how its functions and staffing would be affected under the Department of Health.

Extended Program Budget Funding Request						
Fund Line Item	FY 2006 Requested	FY 2006 Recommended	Difference	FY 2007 Requested	FY 2007 Recommended	Difference
4K9 930-609	\$45,000	\$0	(\$45,000)	\$45,000	\$0	(\$45,000)

This request was to employ one additional staff person, a clerk, to help offset the added workload that has been placed on current staff upon transition from ODADAS. This position would have handled general office support functions such as distributing all incoming and outgoing mail, answering all incoming calls, providing general customer services to the field, maintaining office equipment and supplies, and processing incoming fees associated with applications and testing.

General Services Fund Group

4K9 930-609 Operating Expenses

2002	2003	2004	2005 Estimate	2006 House Passed	2007 House Passed
\$0	\$0	\$181,390	\$450,000	\$452,976	\$0
	N/A	N/A	148.1%	0.7%	-100.0%

Source: GSF: License fees and other assessments collected by the state's professional and occupational licensing boards

Legal Basis: ORC 4758.10 and 4743.05; Section 26 of Am. Sub. H.B. 95 of the 125th G.A. (originally established by Sub. H.B. 496 of the 124th G.A.)

Purpose: Funds are used for general operating expenses, including payroll and supplies for the Chemical Dependency Professionals Board. The Board licenses and regulates chemical dependency professionals who practice in Ohio.

LSC Budget Spreadsheet by Line Item, FY 2006 - FY 2007

<i>Fund</i>	<i>ALI</i>	<i>ALI Title</i>	<i>Estimated 2005</i>	<i>As Introduced 2006</i>	<i>House Passed 2006</i>	<i>% Change Est. 2005 to House 2006</i>	<i>As Introduced 2007</i>	<i>House Passed 2007</i>	<i>% Change House 2006 to House 2007</i>
CDP Chemical Dependency Professionals Board									
4K9	930-609	Operating Expenses	\$450,000	\$ 452,976	\$ 452,976	0.7%	\$ 0	\$ 0	-100.0%
General Services Fund Group Total			\$ 450,000	\$ 452,976	\$ 452,976	0.7%	\$ 0	\$ 0	-100.0%
Total All Budget Fund Groups			\$ 450,000	\$ 452,976	\$ 452,976	0.7%	\$ 0	\$ 0	-100.0%

As Introduced (Executive)

As Passed by the House

(CD-740-CDP) Consolidation of Regulatory Boards**R.C. 315.03**

Consolidates the occupational licensing boards into the departments of Health, Public Safety, or Commerce not later than July 1, 2006. In the case of the State Chemical Dependency Professionals Board, the Board will be consolidated into the Department of Health. The directors of Budget and Management, Administrative Services, Commerce, Health, and Public Safety must appoint representatives to a transition team. The team is to develop a plan for the smooth and timely consolidation of the boards and shall also address the details of the consolidation. The team is to submit a report containing recommendations and the details of the consolidation not later than December 31, 2005 to the Governor, Speaker of the House, and President of the Senate. A bill will be introduced in fiscal year (FY) 2006 that will include the necessary statutory changes and appropriations for consolidation.

Fiscal effect: The Board will receive no appropriation in FY 2007. The total fiscal effect is unknown at this time since the specifics of the transfer will not be addressed until FY 2006.

R.C. 315.03

Same as the Executive.

Fiscal effect: Same as the Executive.