

# DEPARTMENT OF DEVELOPMENTAL DISABILITIES (DDD)

## General information (DDD)

### Duties

Offering support across the lifespan of people with developmental disabilities, the Ohio Department of Developmental Disabilities (DODD) oversees a statewide system of supportive services that focus on ensuring health and safety, supporting access to community participation, and increasing opportunities for meaningful employment.

### Membership *(Current members, chairperson and other officers, and selection process.)*

DODD is a cabinet level agency. The Director is appointed by the Governor and confirmed by the Ohio Senate.

### Budget *(Current budget, description of budgeting process, sources of funding, and expected increases or decreases in budget or funding in future years.)*

DODD's FY20-21 budget can be found in HB 166 of the 133<sup>rd</sup> GA. Budget recommendations for FY 22-23 will be included in Governor Mike DeWine's budget proposal.

**Workload** *(Assess current, past, and anticipated workload. Has the workload increased or decreased significantly in the preceding six years?)*

DODD's workload has not significantly increased or decreased in recent years.

**Staffing** *(How many staff are currently employed by the board? What are their roles? Are staffing levels proportionate to the board's current and anticipated workload?)*

DODD employs approximately 2340 people. The table of organization for DODD can be found at <https://dodd.ohio.gov/wps/portal/gov/dodd/about-us/resources/to>

**Administrative hearings and public complaints** *(Describe the Board's processes for administering discipline and addressing complaints. Assess the efficiency of the processes.)*

The Department utilizes R.C. 119 to conduct administrative adjudications. The Department is represented by the Ohio Attorney General's office in all R.C. 119 adjudications.

## Supported living certificate

### Survey responses (DDD)

#### Description

To provide home and community based Medicaid funded services to individuals with developmental disabilities, the provider must hold a supported living certificate. DODD issues supported living certifications to individual providers (“independent providers”) and to agency providers, who employ staff to serve individuals with developmental disabilities.

#### Type *(See R.C. 4798.01 for relevant definitions.)*

License

#### If the regulation is a registration, certification, or license requirement, please complete the following:

##### Number issued annually

2019 new certifications:  
Independent Provider: 1,306  
Agency : 126

##### Number renewed annually

2019 renewed certifications  
Independent Provider = 1,827  
Agency = 590

<b>If the regulation is a registration, certification, or license requirement, please complete the following:</b>	
<b>Have there been significant increases or decreases in active registrations, certifications or licenses in the preceding six years?</b>	The number has slightly or moderately increased each year over the past six years.
<b>Education or training requirements</b>	<p>Independent Provider: Must hold High School Diploma or GED</p> <p>Agency CEO: Must have a Bachelor’s degree or has at least four years of full-time (or equivalent part-time) paid work experience as a supervisor of programs or services for individuals with developmental disabilities.</p>
<b>Experience requirements</b>	<p>Independent Provider: Prior to application for initial independent provider certification, an applicant shall have successfully completed:</p> <ul style="list-style-type: none"> <li>(a) Department-provided web-based orientation for independent providers.</li> <li>(b) Eight hours of training in accordance with standards established by the department that addresses the following topics, except for providers of services exempted in accordance with paragraph (E)(1) of this rule: <ul style="list-style-type: none"> <li>(i) Overview of serving individuals with developmental disabilities including implementation of individual service plans;</li> <li>(ii) An independent provider’s role and responsibilities with regard to services including person-centered planning, community integration, self-determination, and self-advocacy;</li> <li>(iii) Universal precautions for infection control including hand washing and the disposal of bodily waste;</li> <li>(iv) The rights of individuals set forth in sections <u>5123.62</u> to <u>5123.64</u> of the Revised Code; and</li> <li>(v) The requirements of rule <u>5123:2-17-02</u> of the Administrative Code including a review of health and welfare alerts issued by the department.</li> </ul> </li> </ul> <p>Agency CEO: Has at least one year of full-time (or equivalent part-time) paid work experience in the provision of services for individuals with developmental disabilities which included responsibility for:</p>

If the regulation is a registration, certification, or license requirement, please complete the following:	
	<ul style="list-style-type: none"> <li>(i) Personnel matters;</li> <li>(ii) Supervision of employees;</li> <li>(iii) Program services; and</li> <li>(iv) Financial management.</li> </ul>
<p><b>Examination requirements</b> (<i>Who administers the exam? How is the exam and administrator selected? What fees are charged? Does the Board receive any proceeds of those fees? If so, how are the proceeds used?</i>)</p>	<p>No examination.</p>
<p><b>Continuing education requirements</b> (<i>Including a description of the curriculum and the process of setting it.</i>)</p>	<p>Independent Provider: Within sixty days of first providing services, an independent provider shall successfully complete training in accordance with standards established by the department in:</p> <ul style="list-style-type: none"> <li>(a) Service documentation; and</li> <li>(b) Billing for services.</li> </ul> <p>(4) Commencing in the second year of certification, an independent provider shall successfully complete annual training in accordance with standards established by the department in:</p> <ul style="list-style-type: none"> <li>(a) An independent provider’s role and responsibilities with regard to services including person-centered planning, community integration, self-determination, and self-advocacy;</li> <li>(b) The rights of individuals set forth in sections <a href="#">5123.62</a> to <a href="#">5123.64</a> of the Revised Code; and</li> <li>(c) The requirements of rule <a href="#">5123:2-17-02</a> of the Administrative Code including a review of health and welfare alerts issued by the department since the previous year’s training.</li> </ul> <p>Agency CEO: Must successfully complete, commencing in the second year of certification or employment as the chief executive officer, annual training in accordance with standards established by the department in:</p>

If the regulation is a registration, certification, or license requirement, please complete the following:	
	<p>(i) An agency provider's role and responsibilities with regard to services including person-centered planning, community integration, self-determination, and self-advocacy;</p> <p>(ii) The rights of individuals set forth in sections <u>5123.62</u> to <u>5123.64</u> of the Revised Code; and</p> <p>(iii) The requirements of rule <u>5123:2-17-02</u> of the Administrative Code including a review of health and welfare alerts issued by the department since the previous year's training.</p>
<b>Initial fee</b>	<p>Independent Provider: \$125</p> <p>Small Agency (serving 50 or fewer individuals): \$800</p> <p>Large Agency (serving 50 or more individuals): \$1600</p>
<b>Duration</b>	3 years
<b>Renewal fee</b> <i>(If different from initial fee, please explain why.)</i>	Same as initial for independent provider, small agency and large agency (see above)
<b>Does the Board recognize uniform licensure requirements or allow for reciprocity?</b>	No
<b>Are there any similar national registrations, certifications, or licenses? Could they be used as a substitute for the state regulation?</b>	No
<b>Are there any circumstances in which an individual may practice elements of the occupation without being regulated by the board?</b>	Not as a paid provider paid by Medicaid.

**If the regulation is a registration, certification, or license requirement, please complete the following:**

<p><b>Is the Board permitted to exercise discretion in determining whether to register, certify, or license an individual?</b></p>	<p>Upon written request by the applicant, the Department does have the authority to waive certain requirements in the provider certification rule, Ohio Administrative Code 5123:2-2-01.</p>
<p><b>Other information</b> (<i>Significant attributes or prerequisites to licensure not addressed in this chart.</i>)</p>	<p>N/A</p>

**Oversight and disciplinary authority of the Board respecting individuals engaged in the occupation.**

Denial, suspension, or revocation of certification

(1) The department may deny an application for certification based on the applicant’s failure to comply with the requirements of this rule or other standards and assurances established under Chapter 5123. of the Revised Code and Chapter 5123:2-9 of the Administrative Code for the specific home and community-based services the applicant is seeking to deliver.

(2) Certified providers shall comply with the continuing certification standards set forth in this rule. Certified providers shall be subject to monitoring and compliance reviews as set forth in rules promulgated by the department. Failure to comply with the requirements set forth in this rule or other standards and assurances established under Chapter 5123. of the Revised Code and Chapter 5123:2-9 of the Administrative Code for the specific home and community-based services provided may result in corrective action by the department, up to and including suspension, denial of renewal, or revocation of certification.

(3) The department may deny, suspend, or revoke a provider’s certification for good cause, including the following:

- (a) Misfeasance;
- (b) Malfeasance;
- (c) Nonfeasance;
- (d) Substantiated abuse or neglect;
- (e) Financial irresponsibility;
- (f) Failure to meet the requirements of this rule;
- (g) Other conduct the department determines is injurious to individuals being served;

**Oversight and disciplinary authority of the Board respecting individuals engaged in the occupation.**

(h) Failure to comply with other applicable rules;

(i) Failure to submit claims for reimbursement for twelve consecutive months; or

(j) The conviction or guilty plea of the independent provider or the chief executive officer or other person responsible for administration of the agency provider to any of the offenses listed or described in divisions (A)(3)(a) to (A)(3)(e) of section 109.572 of the Revised Code.

(4) When denying, suspending, or revoking certification under this rule, the department shall comply with the notice and hearing requirements of Chapter 119. of the Revised Code and section 5123.166 of the Revised Code.

(5) When the department denies a renewal of certification, the provider shall comply with the department's adjudication order within thirty days of the date of the mailing of the order.

**How much revenue is derived from fees charged by the Board to individuals engaged in the occupation (such as license and renewal fees)? How is that revenue used?**

In 2019, DODD collected \$1,367,150 in fees for initial and renewal applications for independent providers and agency providers. These funds are deposited into fund 5EVO which is appropriation line item 653627 for Medicaid Program Support.

**Describe any federal regulations that apply to the occupation. Does federal law require the state to regulate the occupation?**

Yes, 42 CFR 441.730 requires the state to establish standards for provider qualifications and training and to regulate and enforce those standards.



**What is the “harm” that the regulation seeks to prevent? (See, R.C. 4798.02(B).)**

The Department serves a very vulnerable population. It is important that the Department ensures that staff (independent providers and agency providers) who serve these individuals do not have disqualifying criminal convictions for theft, abuse, etc. The Department must also ensure that they have the proper training (CPR, first aid) and training specific to the individuals they serve.

**Is the regulation effective at preventing the harm described above? Are there other, less restrictive ways to prevent the harm?**

Yes. No less restrictive options.

**Are there any changes the Board would like to see implemented?**

The Department is in the process of amending the current provider certification rule, O.A.C. 5123:2-2-01 to establish two separate rules. One rule will contain the requirements for independent providers and the other rule will contain the requirements for the agency provider.

**Comparison to other states** (How many other states regulate the occupation? How do Ohio’s regulations compare to those others states? Is Ohio more restrictive? Less restrictive? Or somewhere in between?)

DODD has not completed a comparison with other states.

**Surrounding state comparison (LSC)**

Supported Living Certificate <sup>3</sup>						
	Ohio	Indiana	Kentucky	Michigan <sup>4</sup>	Pennsylvania	West Virginia
License required?	Yes ( <i>R.C. 5123.161</i> )	Yes, supported living providers must be approved by the Bureau of Developmental Disabilities Services and the Community Residential Facilities Council ( <i>460 Ind. Admin.</i> )	No ( <i>Ky. Rev. Stat. Ann. 210.770 et seq.; Kentucky Department for Behavioral Health, Developmental and Intellectual Disabilities, Division of Developmental and Intellectual Disabilities</i> )	No, supported living personnel requirements are established at the local level ( <i>Mich. Admin. Code R. 330.2806</i> )	No ( <i>55 Pa. Code 51.12, 51.23, and 6350.5 et seq.</i> )	No, but providers offering certain supported living services must be licensed; for example, providers offering behavioral health services and supports to assist individuals with developmental

<sup>3</sup> This table does not include the supported living provider requirements under the state’s Medicaid home and community-based waiver programs.

<sup>4</sup> In Michigan, services for people with severe mental illness, developmental disabilities, and substance abuse disorders are coordinated through local community health services programs, Michigan Alliance for Families, [Adult Services Agencies](#).

Supported Living Certificate <sup>3</sup>						
	Ohio	Indiana	Kentucky	Michigan <sup>4</sup>	Pennsylvania	West Virginia
		<i>Code 12-6-2 and 12-6-4)</i>				disabilities live in the community, staff must meet any license requirements for the applicable profession ( <i>W. Va. Code R. 64-11-1 et seq.; W. Va. Code Ann. 27-1A-7 and see W. Va. Code Ann. 27-2A-1</i> ) <sup>5</sup>
Education or training	<b>Independent providers:</b> High school diploma or GED American Red Cross or equivalent CPR and first aid certification Department-provided web-based orientation, eight hours of training	Requirements vary depending on the type of service provided; generally, the provider must hold a state license in the relevant profession ( <i>460 Ind. Admin. Code 12-5-2</i> )	N/A	N/A	N/A	N/A

<sup>5</sup> There are licensure requirements for residential care communities, but those appear to be assisted living. *W. Va. Code R. 64-75-1 et seq.*

Supported Living Certificate <sup>3</sup>						
	Ohio	Indiana	Kentucky	Michigan <sup>4</sup>	Pennsylvania	West Virginia
	<p>addressing specified topics and additional training within 60 days of first providing services</p> <p><b>Direct services employee with an agency provider:</b></p> <p>High school diploma or GED, bachelor's degree</p> <p>American Red Cross or equivalent CPR and first aid certification</p> <p>Eight hours of training addressing specified topics and additional training if supervising direct services staff</p> <p><i>(O.A.C. 5123:2-2-01(C) and (D))</i></p>					

Supported Living Certificate <sup>3</sup>						
	Ohio	Indiana	Kentucky	Michigan <sup>4</sup>	Pennsylvania	West Virginia
Experience	No ( <i>O.A.C. 5123:2-2-01(C) and (D)</i> )	Requirements vary depending on the type of supported living service provided ( <i>460 Ind. Admin. Code 12-5-2</i> )	N/A	N/A	N/A	N/A
Exam	No	No	N/A	N/A	N/A	N/A
Continuing education	Yes, number of hours not specified ( <i>O.A.C. 5123:2-2-01(C) and (D)</i> )	No	N/A	N/A	N/A	N/A
Initial licensure fee	<b>Independent provider:</b> \$125 ( <i>O.A.C. 5123:2-2-01(L)(2)(a)</i> )	No	N/A	N/A	N/A	N/A
License duration	Three years ( <i>O.A.C. 5123:2-2-01(K)</i> )	Three years ( <i>460 Ind. Admin. Code 12-6-3</i> )	N/A	N/A	N/A	N/A
Renewal fee	\$125 ( <i>O.A.C. 5123:2-2-01(L)(2)(a)</i> )	No	N/A	N/A	N/A	N/A

## Personnel certificate to administer prescribed medications and perform health-related activities

### Survey responses (DDD)

#### Description

Developmental disabilities personnel who are not specifically authorized by other provisions of the Revised Code to perform health-related activities or administer prescribed medication may do so pursuant to section 5123.42 of the Revised Code and rules adopted by the department under this chapter if they complete the training required by the Department and apply for certification. (This type of certification is known as a Medication Administration Category 1 certification).

#### Type *(See R.C. 4798.01 for relevant definitions.)*

Government certification

#### If the regulation is a registration, certification, or license requirement, please complete the following:

Number issued annually	13,682
Number renewed annually	27,663

If the regulation is a registration, certification, or license requirement, please complete the following:	
<b>Have there been significant increases or decreases in active registrations, certifications or licenses in the preceding six years?</b>	They have remained consistent over the past six years.
<b>Education or training requirements</b>	High School diploma or GED.
<b>Experience requirements</b>	A health-related activities and prescribed medication administration training program provided pursuant to this rule, to prepare developmental disabilities personnel to perform health-related activities, administer oral prescribed medication, administer topical prescribed medication, administer topical over-the-counter musculoskeletal medication, and administer oxygen and metered dose inhaled medication, shall be at a minimum a fourteen-hour course; one hour equals sixty minutes of classroom instruction..
<b>Examination requirements</b> ( <i>Who administers the exam? How is the exam and administrator selected? What fees are charged? Does the Board receive any proceeds of those fees? If so, how are the proceeds used?</i> )	Written examination created and administered by a DODD certified Nurse Trainer. A passing score of 80% is required to successfully complete the examination. If an applicant does not receive the required score, the applicant must retake the entire training before sitting for the examination again.
<b>Continuing education requirements</b> ( <i>Including a description of the curriculum and the process of setting it.</i> )	At least two hours of continuing education that relates to the information taught in the health-related activities and prescribed medication administration training program (as determined by the registered nurse trainer) and perform a successful return demonstration of skills.
<b>Initial fee</b>	None
<b>Duration</b>	One year

If the regulation is a registration, certification, or license requirement, please complete the following:	
<b>Renewal fee</b> <i>(If different from initial fee, please explain why.)</i>	None
<b>Does the Board recognize uniform licensure requirements or allow for reciprocity?</b>	No
<b>Are there any similar national registrations, certifications, or licenses? Could they be used as a substitute for the state regulation?</b>	No
<b>Are there any circumstances in which an individual may practice elements of the occupation without being regulated by the board?</b>	No
<b>Is the Board permitted to exercise discretion in determining whether to register, certify, or license an individual?</b>	Yes. For adequate reasons and when requested in writing, the director may waive a condition or specific requirement of this rule. Approval to waive a condition or specific requirement shall not be contrary to the rights, health, or safety of individuals served. The decision to grant or deny a rule waiver is final and may not be appealed.
<b>Other information</b> <i>(Significant attributes or prerequisites to licensure not addressed in this chart.)</i>	This certification is available only to independent providers certified by DODD or individuals employed by agencies certified by DODD.



**Oversight and disciplinary authority of the Board respecting individuals engaged in the occupation.**

Denial, suspension, or revocation of certification issued under this chapter

(1) The department may deny, suspend, or revoke a certificate holder's certification issued under this chapter for good cause including:

- (a) Misfeasance;
- (b) Malfeasance;
- (c) Nonfeasance;
- (d) Substantiated abuse or neglect;
- (e) A violation of sections 5123.41 to 5123.45 of the Revised Code or rules adopted under this chapter;
- (f) The conviction or plea of guilty to a disqualifying offense as set forth in paragraph (E) of rule 5123:2-2-02 of the Administrative Code and the corresponding exclusionary period has not elapsed;
- (g) Other conduct the department determines to be injurious to individuals being served; or
- (h) The board of nursing has taken disciplinary action against a certificate holder under Chapter 4723. of the Revised Code.

(2) When denying, suspending, or revoking certification under this rule, the department shall comply with the notice and hearing requirements of Chapter 119. of the Revised Code and section 5123.452 of the Revised Code.

**How much revenue is derived from fees charged by the Board to individuals engaged in the occupation (such as license and renewal fees)?  
How is that revenue used?**

No revenue.

**Describe any federal regulations that apply to the occupation. Does federal law require the state to regulate the occupation?**

No, it is required by state law and not federal law.

**What is the “harm” that the regulation seeks to prevent? (See, R.C. 4798.02(B).)**

Regulation is aimed at protecting the health and safety of the individuals served.

**Is the regulation effective at preventing the harm described above? Are there other, less restrictive ways to prevent the harm?**

Yes, the regulation is effective and there are no less restrictive ways to prevent the harm.

**Are there any changes the Board would like to see implemented?**

The Department is in the process of amending the rule to allow for the training to be administered virtually.

**Comparison to other states** *(How many other states regulate the occupation? How do Ohio’s regulations compare to those others states? Is Ohio more restrictive? Less restrictive? Or somewhere in between?)*

Unknown. The Department has not done a comparison with other states’ regulations.

**Surrounding state comparison (LSC)**

Personnel Certificate to Administer Prescribed Medications and Perform Health-related Activities						
	Ohio	Indiana	Kentucky	Michigan	Pennsylvania	West Virginia
License required?	Yes, developmental disabilities (DD) personnel who are not otherwise authorized to administer	No, qualified medication aides can administer medications and perform related health maintenance	No, a registered nurse (RN) or licensed practical nurse (LPN) can delegate to an unlicensed person certain nursing	No, administering medications is within the scope of practice of physicians and nursing licensees <i>(Peter Pratt and</i>	No, in certain circumstances, after taking a Department of Human Services-approved training course,	No, approved medication assistive personnel may engage in limited medication administration

**Personnel Certificate to Administer Prescribed Medications and Perform Health-related Activities**

	Ohio	Indiana	Kentucky	Michigan	Pennsylvania	West Virginia
	prescribed medications and perform health-related activities must obtain this specialty certification to do so (R.C. 5123.42)	tasks in certain licensed health care facilities (Ind. Code Ann. 16-28-1-11 and 16-28-1-11.5)	tasks (201 Ky. Admin. Regs. 20:400)  Under the Medicaid home and community-based waiver, nonlicensed personnel can administer medications in certain facilities after taking an approved training course with classroom instruction, practical demonstrations, and an exam (907 Ky. Admin. Regs. 12:010, Section 3(3)(bb))	<i>Lisa Katz, Scope of Practice of Health Professionals in the State of Michigan</i> )	unlicensed staff in certain residential settings can administer medications to program residents (55 Pa. Code 2600.182 and 2600.190; Pennsylvania Department of Human Services, Office of Developmental Programs, Medication Administration Program)	and perform health maintenance tasks in certain specified facilities if approved and supervised by a physician or other authorized health care professional (W. Va. Code Ann. 16-50-4 and 16-50-6; W. Va. Code R. 64-60-1 et seq.)
Education or training	High school diploma or GED  Completion of a DD-approved training program	Completion of a training course approved by the Department of Health that includes 60 hours	N/A	N/A	Completion of a Department of Human Services-approved training course, including a competency	High school diploma or GED  Completion of a medication or health maintenance

**Personnel Certificate to Administer Prescribed Medications and Perform Health-related Activities**

	Ohio	Indiana	Kentucky	Michigan	Pennsylvania	West Virginia
	<i>(O.A.C. 5123:2-6-06)</i>	of classroom instruction and 40 hours of supervised practice <i>(Ind. Code Ann. 16-28-1-11; Indiana Department of Health, Long Term Care/Nursing Homes, Qualified Medication Aide (QMA) Registration, Certification and Recertification)</i>			exam, within the past two years  Completion of Department-approved diabetes patient education program within the past 12 months  <i>(55 Pa. Code 2600.190)</i>	tasks training program approved by the Department of Health and Human Services' Office of Health Facility Licensure and Certification  <i>(W. Va. Code Ann. 16-50-5; W. Va. Code R. 64-60-6)</i>
Experience	No	No <i>(Ind. Code Ann. 16-28-1-11)</i>	N/A	N/A	No	No
Exam	Yes <i>(O.A.C. 5123:2-6-06(D))</i>	Yes <i>(Ind. Code Ann. 16-28-1-11; 410 Ind. Admin. Code 16.2-1.1-54)</i>	N/A	N/A	Yes <i>(55 Pa. Code 2600.190)</i>	Successful competency evaluation at the end of the training program  <i>(W. Va. Code Ann. 16-50-5; W. Va. Code R. 64-60-2 and 64-60-5)</i>

**Personnel Certificate to Administer Prescribed Medications and Perform Health-related Activities**

	Ohio	Indiana	Kentucky	Michigan	Pennsylvania	West Virginia
Continuing education	One hour annually and demonstration of skills (O.A.C. 5123:2-6-06(E)(1)(b))	No ( <i>Ind. Code Ann. 16-28-1-11</i> )	N/A	N/A	No	Completes the applicable training program every two years ( <i>W. Va. Code Ann. 16-50-5; W. Va. Code R. 64-60-4</i> )
Initial licensure fee	No	Not specified ( <i>Ind. Code Ann. 16-28-1-11; Indiana Department of Health, Long Term Care/Nursing Homes, Qualified Medication Aide (QMA) Registration, Certification and Recertification</i> )	N/A	N/A	No	No
License duration	One year ( <i>R.C. 5123.45</i> )	One year ( <i>Ind. Code Ann. 16-28-1-11</i> )	N/A	N/A	Two years ( <i>55 Pa. Code 2600.190(a)</i> )	Two years ( <i>W. Va. Code Ann. 16-50-8; W. Va. Code R. 64-60-4 and 64-60-8</i> )
Renewal fee	No	Amount not specified ( <i>Ind.</i>	N/A	N/A	No	No

Personnel Certificate to Administer Prescribed Medications and Perform Health-related Activities						
	Ohio	Indiana	Kentucky	Michigan	Pennsylvania	West Virginia
		<i>Code Ann. 16-28-1-11)</i>				

## Personnel certificate to perform tube feedings

### Survey responses (DDD)

Description
<p>Developmental disabilities personnel who are not specifically authorized by other provisions of the Revised Code to perform health-related activities or administer prescribed medication may do so pursuant to section 5123.42 of the Revised Code and rules adopted by the department under this chapter if they complete the training required by the Department and apply for certification. (This type of certification is known as a Medication Administration Category 2 certification).</p>
Type <i>(See R.C. 4798.01 for relevant definitions.)</i>
<p>Specialty occupational license for medical reimbursement</p>

If the regulation is a registration, certification, or license requirement, please complete the following:	
<b>Number issued annually</b>	4,131
<b>Number renewed annually</b>	4,691
<b>Have there been significant increases or decreases in active registrations, certifications or licenses in the preceding six years?</b>	Increased each year between 2013 and 2019.
<b>Education or training requirements</b>	High School Diploma or GED.
<b>Experience requirements</b>	<p>In order to be certified, an individual must hold a current, valid Category 1 Medication Administration Certification.</p> <p>A prescribed medication through feeding tube by nursing delegation training program provided pursuant to this rule to prepare developmental disabilities personnel to administer prescribed medication through stable labeled gastrostomy and jejunostomy tubes shall be at a minimum a four-hour course and shall be in addition to the health-related activities and prescribed medication administration training program; one hour equals sixty minutes of classroom instruction. Relevant agency-specific and/or facility-specific material may be added to the department-approved curriculum with additional corresponding classroom instruction time beyond the four-hour course. Developmental disabilities personnel shall successfully complete the health-related activities and prescribed medication administration training program prior to participating in the prescribed medication through feeding tube by nursing delegation training program.</p>



**If the regulation is a registration, certification, or license requirement, please complete the following:**

<p><b>Examination requirements</b> (<i>Who administers the exam? How is the exam and administrator selected? What fees are charged? Does the Board receive any proceeds of those fees? If so, how are the proceeds used?</i>)</p>	<p>Written examination created and administered by a DODD certified Nurse Trainer. A passing score of 80% is required to successfully complete the examination. If an applicant does not receive the required score, the applicant must retake the entire training before sitting for the examination again.</p>
<p><b>Continuing education requirements</b> (<i>Including a description of the curriculum and the process of setting it.</i>)</p>	<p>To maintain certification in prescribed medication through feeding tube by nursing delegation, developmental disabilities personnel shall annually complete at least one hour of continuing education that relates to the information taught in the prescribed medication through feeding tube by nursing delegation training program (as determined by the registered nurse trainer) and perform a successful return demonstration of skills. The continuing education required is in addition to the two hours of continuing education required for health-related activities and prescribed medication administration certification and, if applicable, the one hour of continuing education required for subcutaneous injection by nursing delegation certification.</p>
<p><b>Initial fee</b></p>	<p>None.</p>
<p><b>Duration</b></p>	<p>One year</p>
<p><b>Renewal fee</b> (<i>If different from initial fee, please explain why.</i>)</p>	<p>None.</p>
<p><b>Does the Board recognize uniform licensure requirements or allow for reciprocity?</b></p>	<p>No</p>

**If the regulation is a registration, certification, or license requirement, please complete the following:**

<p><b>Are there any similar national registrations, certifications, or licenses? Could they be used as a substitute for the state regulation?</b></p>	<p>No</p>
<p><b>Are there any circumstances in which an individual may practice elements of the occupation without being regulated by the board?</b></p>	<p>No</p>
<p><b>Is the Board permitted to exercise discretion in determining whether to register, certify, or license an individual?</b></p>	<p>Yes. For adequate reasons and when requested in writing, the director may waive a condition or specific requirement of this rule. Approval to waive a condition or specific requirement shall not be contrary to the rights, health, or safety of individuals served. The decision to grant or deny a rule waiver is final and may not be appealed.</p>
<p><b>Other information</b> (<i>Significant attributes or prerequisites to licensure not addressed in this chart.</i>)</p>	<p>This certification is only available to independent providers certified by DODD or individuals employed by agencies certified by DODD.</p>

**Oversight and disciplinary authority of the Board respecting individuals engaged in the occupation.**

Denial, suspension, or revocation of certification issued under this chapter

(1) The department may deny, suspend, or revoke a certificate holder’s certification issued under this chapter for good cause including:

- (a) Misfeasance;
- (b) Malfeasance;
- (c) Nonfeasance;
- (d) Substantiated abuse or neglect;
- (e) A violation of sections 5123.41 to 5123.45 of the Revised Code or rules adopted under this chapter;

**Oversight and disciplinary authority of the Board respecting individuals engaged in the occupation.**

(f) The conviction or plea of guilty to a disqualifying offense as set forth in paragraph (E) of rule 5123:2-2-02 of the Administrative Code and the corresponding exclusionary period has not elapsed;

(g) Other conduct the department determines to be injurious to individuals being served; or

(h) The board of nursing has taken disciplinary action against a certificate holder under Chapter 4723. of the Revised Code.

(2) When denying, suspending, or revoking certification under this rule, the department shall comply with the notice and hearing requirements of Chapter 119. of the Revised Code and section 5123.452 of the Revised Code.

**How much revenue is derived from fees charged by the Board to individuals engaged in the occupation (such as license and renewal fees)?  
How is that revenue used?**

No revenue.

**Describe any federal regulations that apply to the occupation. Does federal law require the state to regulate the occupation?**

No, it is required by state law and not federal law.

**What is the “harm” that the regulation seeks to prevent? (See, R.C. 4798.02(B).)**

Regulation is aimed at protecting the health and safety of the individuals served.

**Is the regulation effective at preventing the harm described above? Are there other, less restrictive ways to prevent the harm?**

Yes, it is effective and there are no less restrictive ways.

**Are there any changes the Board would like to see implemented?**

Not at this time.

**Comparison to other states** (How many other states regulate the occupation? How do Ohio's regulations compare to those others states? Is Ohio more restrictive? Less restrictive? Or somewhere in between?)

Unknown. The Department has not done a comparison with other states' regulations.

### Surrounding state comparison (LSC)

Personnel Certificate to Perform Tube Feedings						
	Ohio	Indiana	Kentucky	Michigan	Pennsylvania	West Virginia
License required?	Yes, DD personnel who are not otherwise authorized to perform this activity can obtain this specialty certification ( <i>R.C. 5123.42</i> )	No, tube feedings are within scope of practice of RNs, with LPNs and unlicensed personnel authorized to perform under the supervision of an RN ( <i>Indiana Department of Education, Delegation Guidelines for Indiana School Nurses</i> )	No, tube feedings are within scope of practice of RNs; LPNs authorized to perform under the supervision of an RN, advanced practice registered nurse (APRN), or physician ( <i>Kentucky Board of Nursing, Advisory Opinion Statement:</i>	No, tube feedings are within scope of practice of LPNs under the supervision of an RN ( <i>Michigan Civil Service Commission, Job Specification, Practical Nurse Licensed</i> )	No, tube feedings are within scope of practice of certain nursing licenses ( <i>Pennsylvania Department of State, Board Laws &amp; Regulations, see "RN law"</i> )	No, approved medication assistive personnel (described above) may administer tube feedings in certain specified facilities if approved and supervised by a physician or other authorized health care personnel ( <i>W. Va. Code Ann. 16-50-4 and 16-</i>

Personnel Certificate to Perform Tube Feedings						
	Ohio	Indiana	Kentucky	Michigan	Pennsylvania	West Virginia
			<i>Gastric Intubation)</i>			<i>50-6; W. Va. Code R. 64-60-1 et seq.)</i>
Education or training	High school diploma or GED Department-approved training program <i>(O.A.C. 5123:2-6-06(A), (D), and (E)(3))</i>	N/A	N/A	N/A	N/A	High school diploma or GED Completion of a medication or health maintenance tasks training program approved by the Department of Health and Human Services' Office of Health Facility Licensure and Certification <i>(W. Va. Code Ann. 16-50-5; W. Va. Code R. 64-60-6)</i>
Experience	No	N/A	N/A	N/A	N/A	No
Exam	Yes <i>(O.A.C. 5123:2-6-06(D))</i>	N/A	N/A	N/A	N/A	Successful competency evaluation at the end of the training program <i>(W. Va. Code Ann.</i>

**Personnel Certificate to Perform Tube Feedings**

	Ohio	Indiana	Kentucky	Michigan	Pennsylvania	West Virginia
						<i>16-50-5; W. Va. Code R. 64-60-2 and 64-60-5)</i>
Continuing education	One hour annually and demonstration of skills ( <i>O.A.C. 5123:2-6-06(E)(1)(b)</i> )	N/A	N/A	N/A	N/A	Completes the applicable training program every two years ( <i>W. Va. Code Ann. 16-50-5; W. Va. Code R. 64-60-4)</i> )
Initial licensure fee	No	N/A	N/A	N/A	N/A	No
License duration	One year ( <i>R.C. 5123.45</i> )	N/A	N/A	N/A	N/A	Two years ( <i>W. Va. Code Ann. 16-50-8; W. Va. Code R. 64-60-4 and 64-60-8)</i> )
Renewal fee	No	N/A	N/A	N/A	N/A	No

## Personnel certificate to administer subcutaneous insulin injection

### Survey responses (DDD)

#### Description

Developmental disabilities personnel who are not specifically authorized by other provisions of the Revised Code to perform health-related activities or administer prescribed medication may do so pursuant to section 5123.42 of the Revised Code and rules adopted by the department under this chapter if they complete the training required by the Department and apply for certification. (This type of certification is known as a Medication Administration Category 3 certification).

#### Type *(See R.C. 4798.01 for relevant definitions.)*

Government certification

#### If the regulation is a registration, certification, or license requirement, please complete the following:

<b>Number issued annually</b>	2,818
<b>Number renewed annually</b>	3,181



If the regulation is a registration, certification, or license requirement, please complete the following:	
<b>Have there been significant increases or decreases in active registrations, certifications or licenses in the preceding six years?</b>	Increased each year between 2013 and 2019.
<b>Education or training requirements</b>	High School Diploma or GED.
<b>Experience requirements</b>	Must hold current certification to administer prescribed medication and perform health related activities (category 1)
<b>Examination requirements</b> ( <i>Who administers the exam? How is the exam and administrator selected? What fees are charged? Does the Board receive any proceeds of those fees? If so, how are the proceeds used?</i> )	Written examination created and administered by a DODD certified Nurse Trainer. A passing score of 80% is required to successfully complete the examination. If an applicant does not receive the required score, the applicant must retake the entire training before sitting for the examination again.
<b>Continuing education requirements</b> ( <i>Including a description of the curriculum and the process of setting it.</i> )	At least one hour of continuing education (in addition to the continuing education required for category 1 and category 2 continuing education)
<b>Initial fee</b>	None.
<b>Duration</b>	One year
<b>Renewal fee</b> ( <i>If different from initial fee, please explain why.</i> )	None.

**If the regulation is a registration, certification, or license requirement, please complete the following:**

<p><b>Does the Board recognize uniform licensure requirements or allow for reciprocity?</b></p>	<p>No.</p>
<p><b>Are there any similar national registrations, certifications, or licenses? Could they be used as a substitute for the state regulation?</b></p>	<p>No.</p>
<p><b>Are there any circumstances in which an individual may practice elements of the occupation without being regulated by the board?</b></p>	<p>No.</p>
<p><b>Is the Board permitted to exercise discretion in determining whether to register, certify, or license an individual?</b></p>	<p>Yes. For adequate reasons and when requested in writing, the director may waive a condition or specific requirement of this rule. Approval to waive a condition or specific requirement shall not be contrary to the rights, health, or safety of individuals served. The decision to grant or deny a rule waiver is final and may not be appealed.</p>
<p><b>Other information</b> (<i>Significant attributes or prerequisites to licensure not addressed in this chart.</i>)</p>	<p>This certification is only available to independent providers certified by DODD or individuals employed by agencies certified by DODD.</p>

**Oversight and disciplinary authority of the Board respecting individuals engaged in the occupation.**

Denial, suspension, or revocation of certification issued under this chapter

(1) The department may deny, suspend, or revoke a certificate holder's certification issued under this chapter for good cause including:

- (a) Misfeasance;
- (b) Malfeasance;

**Oversight and disciplinary authority of the Board respecting individuals engaged in the occupation.**

- (c) Nonfeasance;
  - (d) Substantiated abuse or neglect;
  - (e) A violation of sections 5123.41 to 5123.45 of the Revised Code or rules adopted under this chapter;
  - (f) The conviction or plea of guilty to a disqualifying offense as set forth in paragraph (E) of rule 5123:2-2-02 of the Administrative Code and the corresponding exclusionary period has not elapsed;
  - (g) Other conduct the department determines to be injurious to individuals being served; or
  - (h) The board of nursing has taken disciplinary action against a certificate holder under Chapter 4723. of the Revised Code.
- (2) When denying, suspending, or revoking certification under this rule, the department shall comply with the notice and hearing requirements of Chapter 119. of the Revised Code and section 5123.452 of the Revised Code.

**How much revenue is derived from fees charged by the Board to individuals engaged in the occupation (such as license and renewal fees)?  
How is that revenue used?**

No revenue.

**Describe any federal regulations that apply to the occupation. Does federal law require the state to regulate the occupation?**

No, it is required by state law and not federal law.

**What is the “harm” that the regulation seeks to prevent? (See, R.C. 4798.02(B).)**

Regulation is aimed at protecting the health and safety of the individuals served.

**Is the regulation effective at preventing the harm described above? Are there other, less restrictive ways to prevent the harm?**

Yes, the regulation is effective and there are no less restrictive ways to prevent the harm.

**Are there any changes the Board would like to see implemented?**

No.

**Comparison to other states** (How many other states regulate the occupation? How do Ohio's regulations compare to those others states? Is Ohio more restrictive? Less restrictive? Or somewhere in between?)

Unknown. The Department has not done a comparison with other states' regulations.

### Surrounding state comparison (LSC)

Personnel Certificate to Administer Subcutaneous Insulin Injection						
	Ohio	Indiana	Kentucky	Michigan	Pennsylvania	West Virginia
License required?	Yes, DD personnel who are not otherwise authorized to perform activities can obtain this specialty certification ( <i>R.C. 5123.42</i> )	No, qualified medication aides may administer subcutaneous insulin injections in certain licensed health care facilities if an RN supervises the aide or delegates responsibility for the injection in certain circumstances ( <i>Ind. Code Ann. 16-28-1-11.5</i> )	No, under the Medicaid home and community-based services waiver, nonlicensed personnel can administer medications in certain facilities under certain circumstances ( <i>907 Ky. Admin. Regs. 12:010, Section 3(3)(bb)</i> )	No	No, in certain circumstances, unlicensed staff in certain residential settings can administer medications to program residents ( <i>55 Pa. Code 2600.182 and 2600.190; Pennsylvania Department of Human Services, Office of Developmental Programs,</i>	No, approved medication assistive personnel may engage in limited medication administration and performance of health maintenance tasks in certain specified facilities if approved and supervised by a physician or other authorized health care personnel

**Personnel Certificate to Administer Subcutaneous Insulin Injection**

	Ohio	Indiana	Kentucky	Michigan	Pennsylvania	West Virginia
					<i>Medication Administration Program)</i>	<i>(W. Va. Code Ann. 16-50-4 and 16-50-6; W. Va. Code R. 64-60-1 et seq)</i>
Education or training	High school diploma or GED DD-approved training program <i>(O.A.C. 5123:2-6-06(A), (C), (D), and (E)(3))</i>	Completes the Department-approved training program in administering insulin, including four to eight hours of classroom training and two to four hours of practical training <i>(Ind. Code Ann. 16-28-1-11)</i>	Complete an approved training course <i>(907 Ky. Admin. Regs. 12:010, Section 3(3)(bb))</i>	N/A	Completion of a Department-approved training course within the past two years and a diabetes patient education program within the past 12 months <i>(55 Pa. Code 2600.190)</i>	High school diploma or GED Completion of a medication or health maintenance tasks training program approved by the Department of Health and Human Services' Office of Health Facility Licensure and Certification <i>(W. Va. Code Ann. 16-50-5; W. Va. Code R. 64-60-6)</i>
Experience	No	No	No	N/A	No	No
Exam	Yes <i>(O.A.C. 5123:2-6-06(D))</i>	Yes <i>(Ind. Code Ann. 16-28-1-11 and 16-28-1-11.5)</i>	Yes <i>(907 Ky. Admin. Regs. 12:010, Section 3(3)(bb))</i>	N/A	Yes <i>(55 Pa. Code 2600.190)</i>	Successful competency evaluation at the end of the

**Personnel Certificate to Administer Subcutaneous Insulin Injection**

	Ohio	Indiana	Kentucky	Michigan	Pennsylvania	West Virginia
						training program <i>(W. Va. Code Ann. 16-50-5; W. Va. Code R. 64-60-2 and 64-60-5)</i>
Continuing education	One hour annually and demonstration of skills <i>(O.A.C. 5123:2-6-06(E)(1)(b))</i>	No	No	N/A	No	Must complete the applicable training program every two years <i>(W. Va. Code Ann. 16-50-5; W. Va. Code R. 64-60-4)</i>
Initial licensure fee	No	Not specified <i>(Ind. Code Ann. 16-28-1-11)</i>	N/A	N/A	No	No
License duration	One year <i>(R.C. 5123.45)</i>	One year <i>(Ind. Code Ann. 16-28-1-11)</i>	N/A	N/A	Must have completed training course and exam within past two years <i>(55 Pa. Code 2600.190)</i>	Not specified <i>(W. Va. Code Ann. 16-50-8; W. Va. Code R. 64-60-4 and 64-60-8)</i>
Renewal fee	No	Not specified <i>(Ind. Code Ann. 16-28-1-11)</i>	N/A	N/A	No	No

## Registered nurse instructor certificate

### Survey responses (DDD)

#### Description

Only a registered nurse certified by the department as a registered nurse instructor may plan, develop, coordinate, and deliver the registered nurse train-the-trainer program that prepares registered nurses to train developmental disabilities personnel to:

- (a) Perform health-related activities;
- (b) Administer oral prescribed medication;
- (c) Administer topical prescribed medication;
- (d) Administer topical over-the-counter musculoskeletal medication;
- (e) Administer oxygen and metered dose inhaled medication;
- (f) Administer prescribed medication through stable labeled gastrostomy and jejunostomy tubes;
- (g) Administer prescribed insulin through subcutaneous injection, inhalation, and insulin pump; and
- (h) Administer prescribed medication for the treatment of metabolic glycemic disorders through subcutaneous injection.

#### Type *(See R.C. 4798.01 for relevant definitions.)*

Government certification



If the regulation is a registration, certification, or license requirement, please complete the following:	
Number issued annually	1
Number renewed annually	10
Have there been significant increases or decreases in active registrations, certifications or licenses in the preceding six years?	The numbers have remained consistent between 2014 and 2019.
Education or training requirements	<p>(a) Current valid licensure in good standing with the Ohio board of nursing to practice as a registered nurse.</p> <p>(b) A minimum of sixty months full-time (or equivalent part-time) experience in the practice of nursing as a registered nurse, of which at least twenty-four months have been in the field of developmental disabilities.</p> <p>(c) Knowledge of the current laws and rules which regulate the practice of nursing, sections <u>5123.41</u> to <u>5123.47</u> of the Revised Code, and this chapter.</p> <p>(d) Knowledge of and experience with the principles of adult education.</p> <p>(e) Current certification as a registered nurse trainer in accordance with this rule.</p> <p>(f) Successful completion of the department-provided registered nurse instructor orientation program and maintenance of registered nurse instructor certification pursuant to this rule.</p>
Experience requirements	<p>(a) Current valid licensure in good standing with the Ohio board of nursing to practice as a registered nurse.</p> <p>(b) A minimum of sixty months full-time (or equivalent part-time) experience in the practice of nursing as a registered nurse, of which at least twenty-four months have been in the field of developmental disabilities.</p>

If the regulation is a registration, certification, or license requirement, please complete the following:	
	<p>(c) Knowledge of the current laws and rules which regulate the practice of nursing, sections <u>5123.41</u> to <u>5123.47</u> of the Revised Code, and this chapter.</p> <p>(d) Knowledge of and experience with the principles of adult education.</p> <p>(e) Current certification as a registered nurse trainer in accordance with this rule.</p> <p>(f) Successful completion of the department-provided registered nurse instructor orientation program and maintenance of registered nurse instructor certification pursuant to this rule.</p>
<b>Examination requirements</b> ( <i>Who administers the exam? How is the exam and administrator selected? What fees are charged? Does the Board receive any proceeds of those fees? If so, how are the proceeds used?)</i> )	Must be a RN licensed and in good standing in the state of Ohio.
<b>Continuing education requirements</b> ( <i>Including a description of the curriculum and the process of setting it.</i> )	Must complete the four hours required to maintain Nurse Trainer Certification.
<b>Initial fee</b>	None.
<b>Duration</b>	2 years
<b>Renewal fee</b> ( <i>If different from initial fee, please explain why.</i> )	None.
<b>Does the Board recognize uniform licensure requirements or allow for reciprocity?</b>	No

**If the regulation is a registration, certification, or license requirement, please complete the following:**

<p><b>Are there any similar national registrations, certifications, or licenses? Could they be used as a substitute for the state regulation?</b></p>	<p>No</p>
<p><b>Are there any circumstances in which an individual may practice elements of the occupation without being regulated by the board?</b></p>	<p>No</p>
<p><b>Is the Board permitted to exercise discretion in determining whether to register, certify, or license an individual?</b></p>	<p>No</p>
<p><b>Other information</b> (<i>Significant attributes or prerequisites to licensure not addressed in this chart.</i>)</p>	<p>N/A</p>

**Oversight and disciplinary authority of the Board respecting individuals engaged in the occupation.**

Denial, suspension, or revocation of certification issued under this chapter

- (1) The department may deny, suspend, or revoke a certificate holder's certification issued under this chapter for good cause including:
- (a) Misfeasance;
  - (b) Malfeasance;
  - (c) Nonfeasance;
  - (d) Substantiated abuse or neglect;
  - (e) A violation of sections 5123.41 to 5123.45 of the Revised Code or rules adopted under this chapter;

**Oversight and disciplinary authority of the Board respecting individuals engaged in the occupation.**

(f) The conviction or plea of guilty to a disqualifying offense as set forth in paragraph (E) of rule 5123:2-2-02 of the Administrative Code and the corresponding exclusionary period has not elapsed;

(g) Other conduct the department determines to be injurious to individuals being served; or

(h) The board of nursing has taken disciplinary action against a certificate holder under Chapter 4723. of the Revised Code.

(2) When denying, suspending, or revoking certification under this rule, the department shall comply with the notice and hearing requirements of Chapter 119. of the Revised Code and section 5123.452 of the Revised Code.

**How much revenue is derived from fees charged by the Board to individuals engaged in the occupation (such as license and renewal fees)?  
How is that revenue used?**

No revenue.

**Describe any federal regulations that apply to the occupation. Does federal law require the state to regulate the occupation?**

No, it is required by state law and not federal law.

**What is the “harm” that the regulation seeks to prevent? (See, R.C. 4798.02(B).)**

Regulation is aimed at protecting the health and safety of the individuals served.

**Is the regulation effective at preventing the harm described above? Are there other, less restrictive ways to prevent the harm?**

Yes, the regulation is effective and there are no less restrictive ways to prevent the harm.

**Are there any changes the Board would like to see implemented?**

Not at this time.

**Comparison to other states** (How many other states regulate the occupation? How do Ohio's regulations compare to those others states? Is Ohio more restrictive? Less restrictive? Or somewhere in between?)

Unknown. The Department has not done a comparison with other states' regulations.

### Surrounding state comparison (LSC)

Registered Nurse Instructor Certificate						
	Ohio	Indiana	Kentucky	Michigan	Pennsylvania	West Virginia
License required?	Yes (license authorizes licensee to train RNs to train Department of Developmental Disabilities personnel in above three licenses) (O.A.C. 5123:2-6-04(A)(1))	No	No	No	No	No, but instructors must meet certain requirements described below (W. Va. Code Ann. 16-50-5; W. Va. Code R. 64-60-5)
Education or training	Hold a license to practice as an RN	N/A	N/A	N/A	N/A	Hold a current license to practice as an RN

Registered Nurse Instructor Certificate

	Ohio	Indiana	Kentucky	Michigan	Pennsylvania	West Virginia
	Hold certification as an RN trainer  Knowledge of laws governing practice of nursing and principles of adult education  Completion of a Department-provided orientation program  <i>(O.A.C. 5123:2-6-04(A))</i>					Completion and passage of the trainer/instructor course developed by the authorizing agency ( <i>W. Va. Code Ann. 16-50-5; W. Va. Code R. 64-60-5</i> )
Experience	60 months of practice as an RN  <i>(O.A.C. 5123:2-6-04(A))</i>	N/A	N/A	N/A	N/A	Have practiced as an RN in a position requiring knowledge of medications for the previous two years  Have competencies for health maintenance tasks reassessed and documented

Registered Nurse Instructor Certificate

	Ohio	Indiana	Kentucky	Michigan	Pennsylvania	West Virginia
						annually by employer ( <i>W. Va. Code Ann. 16-50-5; W. Va. Code R. 64-60-5.4</i> )
Exam	No	N/A	N/A	N/A	N/A	Yes ( <i>W. Va. Code Ann. 16-50-5</i> )
Continuing education	No	N/A	N/A	N/A	N/A	N/A
Initial licensure fee	No	N/A	N/A	N/A	N/A	N/A
License duration	Two years ( <i>R.C. 5123.45; O.A.C. 5123:2-6-04(A)(3)</i> )	N/A	N/A	N/A	N/A	N/A
Renewal fee	No	N/A	N/A	N/A	N/A	N/A



## Registered nurse trainer certificate

### Survey responses (DDD)

#### Description

Only a registered nurse certified by the department as a registered nurse trainer may plan, develop, coordinate, and train developmental disabilities personnel to:

- (a) Perform health-related activities;
- (b) Administer oral prescribed medication;
- (c) Administer topical prescribed medication;
- (d) Administer topical over-the-counter musculoskeletal medication;
- (e) Administer oxygen and metered dose inhaled medication;
- (f) Administer prescribed medication through stable labeled gastrostomy and jejunostomy tubes;
- (g) Administer prescribed insulin through subcutaneous injection, inhalation, and insulin pump; and
- (h) Administer prescribed medication for the treatment of metabolic glycemic disorders through subcutaneous injection.

#### Type *(See R.C. 4798.01 for relevant definitions.)*

Government certification

If the regulation is a registration, certification, or license requirement, please complete the following:	
Number issued annually	102
Number renewed annually	522
Have there been significant increases or decreases in active registrations, certifications or licenses in the preceding six years?	No
Education or training requirements	<p>(a) Current valid licensure in good standing with the Ohio board of nursing to practice as a registered nurse.</p> <p>(b) A minimum of eighteen months full-time (or equivalent part-time) experience in the practice of nursing as a registered nurse.</p> <p>(c) Previous experience caring for an individual with developmental disabilities.</p> <p>(d) Computer and internet access and computer literacy sufficient for entering data in the medication administration information system database described in rule <u>5123:2-6-07</u> of the Administrative Code; receiving and sending electronic mail; and creating, saving, and sending electronic file attachments.</p> <p>(e) Successful completion of a registered nurse train-the-trainer program that has been authorized by an Ohio board of nursing continuing education approver unit.</p>
Experience requirements	<p>(a) Current valid licensure in good standing with the Ohio board of nursing to practice as a registered nurse.</p> <p>(b) A minimum of eighteen months full-time (or equivalent part-time) experience in the practice of nursing as a registered nurse.</p> <p>(c) Previous experience caring for an individual with developmental disabilities.</p>

If the regulation is a registration, certification, or license requirement, please complete the following:	
	<p>(d) Computer and internet access and computer literacy sufficient for entering data in the medication administration information system database described in rule <u>5123:2-6-07</u> of the Administrative Code; receiving and sending electronic mail; and creating, saving, and sending electronic file attachments.</p> <p>(e) Successful completion of a registered nurse train-the-trainer program that has been authorized by an Ohio board of nursing continuing education approver unit.</p>
<b>Examination requirements</b> ( <i>Who administers the exam? How is the exam and administrator selected? What fees are charged? Does the Board receive any proceeds of those fees? If so, how are the proceeds used?</i> )	Successful completion of post-program requirements to demonstrate core knowledge and preparedness for teaching.
<b>Continuing education requirements</b> ( <i>Including a description of the curriculum and the process of setting it.</i> )	To maintain certification as a registered nurse trainer, the registered nurse shall, during the effective period of the certification complete, at a minimum, four contact hours of continuing education related to information addressed in the registered nurse train-the-trainer program or that will enhance the role of the registered nurse trainer. Training in cardiopulmonary resuscitation, first aid, or universal precautions for infection control shall not count toward the four contact hours. The four contact hours may be part of the continuing education required by the Ohio board of nursing to maintain licensure as a registered nurse.
<b>Initial fee</b>	None.
<b>Duration</b>	2 years
<b>Renewal fee</b> ( <i>If different from initial fee, please explain why.</i> )	None.

**If the regulation is a registration, certification, or license requirement, please complete the following:**

<b>Does the Board recognize uniform licensure requirements or allow for reciprocity?</b>	No
<b>Are there any similar national registrations, certifications, or licenses? Could they be used as a substitute for the state regulation?</b>	No
<b>Are there any circumstances in which an individual may practice elements of the occupation without being regulated by the board?</b>	No
<b>Is the Board permitted to exercise discretion in determining whether to register, certify, or license an individual?</b>	No
<b>Other information</b> ( <i>Significant attributes or prerequisites to licensure not addressed in this chart.</i> )	N/A

**Oversight and disciplinary authority of the Board respecting individuals engaged in the occupation.**

Denial, suspension, or revocation of certification issued under this chapter

(1) The department may deny, suspend, or revoke a certificate holder’s certification issued under this chapter for good cause including:

- (a) Misfeasance;
- (b) Malfeasance;
- (c) Nonfeasance;

**Oversight and disciplinary authority of the Board respecting individuals engaged in the occupation.**

- (d) Substantiated abuse or neglect;
  - (e) A violation of sections 5123.41 to 5123.45 of the Revised Code or rules adopted under this chapter;
  - (f) The conviction or plea of guilty to a disqualifying offense as set forth in paragraph (E) of rule 5123:2-2-02 of the Administrative Code and the corresponding exclusionary period has not elapsed;
  - (g) Other conduct the department determines to be injurious to individuals being served; or
  - (h) The board of nursing has taken disciplinary action against a certificate holder under Chapter 4723. of the Revised Code.
- (2) When denying, suspending, or revoking certification under this rule, the department shall comply with the notice and hearing requirements of Chapter 119. of the Revised Code and section 5123.452 of the Revised Code.

**How much revenue is derived from fees charged by the Board to individuals engaged in the occupation (such as license and renewal fees)? How is that revenue used?**

No revenue.

**Describe any federal regulations that apply to the occupation. Does federal law require the state to regulate the occupation?**

No, it is required by state law and not federal law.

**What is the “harm” that the regulation seeks to prevent? (See, R.C. 4798.02(B).)**

Regulation is aimed at protecting the health and safety of the individuals served.

**Is the regulation effective at preventing the harm described above? Are there other, less restrictive ways to prevent the harm?**

Yes, the regulation is effective and there are no less restrictive ways to prevent the harm.

**Are there any changes the Board would like to see implemented?**

Not at this time.

**Comparison to other states** (How many other states regulate the occupation? How do Ohio's regulations compare to those others states? Is Ohio more restrictive? Less restrictive? Or somewhere in between?)

Unknown. The Department has not done a comparison with other states' regulations.

### Surrounding state comparison (LSC)

Registered Nurse Trainer Certificate						
	Ohio	Indiana	Kentucky	Michigan	Pennsylvania	West Virginia
License required?	Yes (O.A.C. 5123:2-6-04(B)(1))	No	No	No	No	No
Education or training	Hold a license to practice as an RN  Knowledge of laws governing practice of nursing and principles of adult education  Completion of a Department of Developmental Disabilities- provided	N/A	N/A	N/A	N/A	N/A

Registered Nurse Trainer Certificate						
	Ohio	Indiana	Kentucky	Michigan	Pennsylvania	West Virginia
	orientation program (O.A.C. 5123:2-6-04(B))					
Experience	18 months of practice as an RN  Previous experience caring for an individual with a developmental disability  Completion of a Board of Nursing-approved RN train-the-trainer program (O.A.C. 5123:2-6-04(B))	N/A	N/A	N/A	N/A	N/A
Exam	Yes (O.A.C. 5123:2-6-04(B))	N/A	N/A	N/A	N/A	N/A



Registered Nurse Trainer Certificate						
	Ohio	Indiana	Kentucky	Michigan	Pennsylvania	West Virginia
Continuing education	Four hours every two-year certificate period (O.A.C. 5123:2-6-04(B)(4))	N/A	N/A	N/A	N/A	N/A
Initial licensure fee	No	N/A	N/A	N/A	N/A	N/A
License duration	Two years (R.C. 5123.45; O.A.C. 5123:2-6-04(B)(3))	N/A	N/A	N/A	N/A	N/A
Renewal fee	No	N/A	N/A	N/A	N/A	N/A

## Adult services worker certificate

### Survey responses (DDD)

Description
<p>People who directly provide or supervise the provision of adult services and who are employed by county boards of developmental disabilities are required to hold adult services worker certifications. Staff of entities under contract with county boards of developmental disabilities to provide or supervise the provision of adult services are not required to hold adult services certification.</p>

**Type** (See R.C. 4798.01 for relevant definitions.)

Government certification

**If the regulation is a registration, certification, or license requirement, please complete the following:**

**Number issued annually**

We do not have this information as these are all issued by the county boards of developmental disabilities.

**Number renewed annually**

We do not have this information as these are all issued by the county boards of developmental disabilities.

**Have there been significant increases or decreases in active registrations, certifications or licenses in the preceding six years?**

Yes, significant decrease because most county boards are no longer delivering adult services therefore they no longer need to issue these certifications.

**Education or training requirements**

High school diploma or GED

**Experience requirements**

None

**Examination requirements** (*Who administers the exam? How is the exam and administrator selected? What fees are charged? Does the Board receive any proceeds of those fees? If so, how are the proceeds used?*)

No

If the regulation is a registration, certification, or license requirement, please complete the following:	
<b>Continuing education requirements</b> <i>(Including a description of the curriculum and the process of setting it.)</i>	An 8 hour orientation program must be completed within 90 days of the issuance of the certification. A second 8 hour training must be completed in the first year which is specific to the provision of adult services.
<b>Initial fee</b>	\$30
<b>Duration</b>	5 years
<b>Renewal fee</b> <i>(If different from initial fee, please explain why.)</i>	Same
<b>Does the Board recognize uniform licensure requirements or allow for reciprocity?</b>	No
<b>Are there any similar national registrations, certifications, or licenses? Could they be used as a substitute for the state regulation?</b>	No
<b>Are there any circumstances in which an individual may practice elements of the occupation without being regulated by the board?</b>	No
<b>Is the Board permitted to exercise discretion in determining whether to register, certify, or license an individual?</b>	No

**If the regulation is a registration, certification, or license requirement, please complete the following:**

**Other information** (*Significant attributes or prerequisites to licensure not addressed in this chart.*)

N/A

**Oversight and disciplinary authority of the Board respecting individuals engaged in the occupation.**

These certifications are subject to denial, suspension or revocation by the County Board Superintendent.

**How much revenue is derived from fees charged by the Board to individuals engaged in the occupation (such as license and renewal fees)?  
How is that revenue used?**

Unknown

**Describe any federal regulations that apply to the occupation. Does federal law require the state to regulate the occupation?**

No.

**What is the “harm” that the regulation seeks to prevent? (See, R.C. 4798.02(B).)**

To protect the safety and welfare of individuals served by the County Board.

**Is the regulation effective at preventing the harm described above? Are there other, less restrictive ways to prevent the harm?**

Yes

**Are there any changes the Board would like to see implemented?**

These certifications will no longer be issued after 2024 pursuant to the Transition Plan filed with CMS by the State of Ohio. After 2024, county boards of developmental disabilities will no longer be providing direct services to individuals served.

**Comparison to other states** (How many other states regulate the occupation? How do Ohio’s regulations compare to those others states? Is Ohio more restrictive? Less restrictive? Or somewhere in between?)

Unknown. We have not done a comparison with other states.

**Surrounding state comparison (LSC)**

Adult Services Worker Certificate						
	Ohio	Indiana	Kentucky	Michigan	Pennsylvania	West Virginia
License required?	Yes (O.A.C. 5123:2-5-01(C)(1))	No (Ind. Admin. Code Title 460)	Yes –community support associates (they are not county developmental disabilities board employees) (908	No (Mich. Admin. Code R. 330.2806)	No, county facilities and agencies that are subject to licensure must comply with regulations in	No

Adult Services Worker Certificate						
	Ohio	Indiana	Kentucky	Michigan	Pennsylvania	West Virginia
			<i>Ky. Admin. Regs. 2:250)</i>		order to receive state funding ( <i>55 Pa. Code 51.12, 51.23, 51.30, and 4300.12)</i> )	
Education or training	<p>High school diploma or GED</p> <p>Within 90 days of hire, must complete an eight-hour orientation program</p> <p>If applicant has less than one year of experience providing adult services, must be assigned a mentor for the first year of hire and complete eight hours of adult services training within that year</p> <p><i>(O.A.C. 5123:2-5-01(C)(1))</i></p>	N/A	<p>High school diploma</p> <p>Completion of ten hours of posthire Department for Behavioral Health, Developmental, and Intellectual Disabilities-led or approved training program</p> <p><i>(908 Ky. Admin. Regs. 2:250)</i></p>	N/A	N/A	N/A

Adult Services Worker Certificate						
	Ohio	Indiana	Kentucky	Michigan	Pennsylvania	West Virginia
Experience	No	N/A	One-year full-time experience working with individuals who receive services to treat a mental health disorder or co-occurring mental health and intellectual, physical, or substance use disorder (908 Ky. Admin. Regs. 2:250)	N/A	N/A	N/A
Exam	No	N/A	No (908 Ky. Admin. Regs. 2:250)	N/A	N/A	N/A
Continuing education	40 hours every five years (O.A.C. 5123:2-5-01(C)(1)(g)(iii))	N/A	Six hours of training or education in specified topics each year of employment (908 Ky. Admin. Regs. 2:250)	N/A	N/A	N/A



Adult Services Worker Certificate						
	Ohio	Indiana	Kentucky	Michigan	Pennsylvania	West Virginia
Initial licensure fee	Not specified (O.A.C. 5123:2-5-01)	N/A	No (908 Ky. Admin. Regs. 2:250)	N/A	N/A	N/A
License duration	Five years (O.A.C. 5123:2-5-01(C)(1))	N/A	Contingent on satisfaction of requirements (908 Ky. Admin. Regs. 2:250)	N/A	N/A	N/A
Renewal fee	Not specified (O.A.C. 5123:2-5-01)	N/A	No (908 Ky. Admin. Regs. 2:250)	N/A	N/A	N/A

## Adult services supervisor certificate

### Survey responses (DDD)

Description
<p>People who directly provide or supervise the provision of adult services and who are employed by county boards of developmental disabilities are required to hold adult services worker certifications. Staff of entities under contract with county boards of developmental disabilities to provide or supervise the provision of adult services are not required to hold adult services certification.</p>

**Type** (See R.C. 4798.01 for relevant definitions.)

Government certification

**If the regulation is a registration, certification, or license requirement, please complete the following:**

<b>Number issued annually</b>	We do not have this information as these are all issued by the county boards of developmental disabilities.
<b>Number renewed annually</b>	We do not have this information as these are all issued by the county boards of developmental disabilities.
<b>Have there been significant increases or decreases in active registrations, certifications or licenses in the preceding six years?</b>	Decrease
<b>Education or training requirements</b>	High school diploma and either a bachelor's degree or graduate-level degree from an accredited college or university; or at least four years of full-time (or equivalent part-time), supervised, paid work experience in programs or services for individuals with developmental disabilities.
<b>Experience requirements</b>	Four years paid full time work experience in supervising programs for individuals with developmental disabilities (if no Bachelor's Degree).

**If the regulation is a registration, certification, or license requirement, please complete the following:**

<p><b>Examination requirements</b> (<i>Who administers the exam? How is the exam and administrator selected? What fees are charged? Does the Board receive any proceeds of those fees? If so, how are the proceeds used?</i>)</p>	<p>None</p>
<p><b>Continuing education requirements</b> (<i>Including a description of the curriculum and the process of setting it.</i>)</p>	<p>An 8 hour orientation program must be completed within 30 days of the issuance of the certification. A second 8 hour training must be completed in the first year which is specific to the provision of adult services. Beginning in the second year of certification, the employee must complete 15 hours in continuing education each year.</p>
<p><b>Initial fee</b></p>	<p>\$75</p>
<p><b>Duration</b></p>	<p>5 years</p>
<p><b>Renewal fee</b> (<i>If different from initial fee, please explain why.</i>)</p>	<p>Same</p>
<p><b>Does the Board recognize uniform licensure requirements or allow for reciprocity?</b></p>	<p>Reciprocity is recognized from other county boards in Ohio</p>
<p><b>Are there any similar national registrations, certifications, or licenses? Could they be used as a substitute for the state regulation?</b></p>	<p>No</p>

**If the regulation is a registration, certification, or license requirement, please complete the following:**

<p><b>Are there any circumstances in which an individual may practice elements of the occupation without being regulated by the board?</b></p>	<p>No</p>
<p><b>Is the Board permitted to exercise discretion in determining whether to register, certify, or license an individual?</b></p>	<p>No</p>
<p><b>Other information</b> (<i>Significant attributes or prerequisites to licensure not addressed in this chart.</i>)</p>	<p>N/A</p>

**Oversight and disciplinary authority of the Board respecting individuals engaged in the occupation.**

These certifications are subject to denial, suspension or revocation by the County Board Superintendent.

**How much revenue is derived from fees charged by the Board to individuals engaged in the occupation (such as license and renewal fees)? How is that revenue used?**

Unknown. These fees are collected and maintained by the county boards.

**Describe any federal regulations that apply to the occupation. Does federal law require the state to regulate the occupation?**

No

**What is the “harm” that the regulation seeks to prevent? (See, R.C. 4798.02(B).)**

To protect the safety and welfare of individuals served by the County Board.

**Is the regulation effective at preventing the harm described above? Are there other, less restrictive ways to prevent the harm?**

Yes.

**Are there any changes the Board would like to see implemented?**

These certifications will no longer be issued after 2024 pursuant to the Transition Plan filed with CMS by the State of Ohio. After 2024, county boards of developmental disabilities will no longer be providing direct services to individuals served.

**Comparison to other states** *(How many other states regulate the occupation? How do Ohio's regulations compare to those others states? Is Ohio more restrictive? Less restrictive? Or somewhere in between?)*

Unknown. We have not done a comparison with other states.

## Surrounding state comparison (LSC)

Adult Services Supervisor Certificate						
	Ohio	Indiana	Kentucky	Michigan	Pennsylvania	West Virginia
License required?	Yes ( <i>O.A.C. 5123:2-5-01(C)(2)</i> )	No ( <i>Ind. Admin. Code Title 460</i> )	No, community support associates must work under the supervision of a licensed health care professional ( <i>908 Ky. Admin. Regs. 2:250</i> )	No ( <i>Mich. Admin. Code R. 330.2806</i> )	No, but county facilities and agencies that are subject to licensure must comply with staffing regulations in order to receive state funding ( <i>55 Pa. Code 51.12, 51.23, 51.30, and 4300.12</i> )	No
Education or training	High school diploma or GED  Bachelor's degree or graduate degree from an accredited institution  Within 90-days of hire, must complete an eight-hour orientation program	N/A	N/A	N/A	N/A	N/A

**Adult Services Supervisor Certificate**

	Ohio	Indiana	Kentucky	Michigan	Pennsylvania	West Virginia
	<i>(O.A.C. 5123:2-5-01(C)(2)(a))</i>					
Experience	Four years' experience in programs or services for individuals with DD <i>(O.A.C. 5123:01-05-01(C)(2)(b))</i>	N/A	N/A	N/A	N/A	N/A
Exam	No	N/A	N/A	N/A	N/A	N/A
Continuing education	75 hours every five years <i>(O.A.C. 5123:2-5-01(C)(2)(e)(iii))</i>	N/A	N/A	N/A	N/A	N/A
Initial licensure fee	Not specified <i>(O.A.C. 5123:2-5-01)</i>	N/A	N/A	N/A	N/A	N/A
License duration	Five years <i>(O.A.C. 5123:2-5-01(C)(2))</i>	N/A	N/A	N/A	N/A	N/A
Renewal fee	Not specified <i>(O.A.C. 5123:2-5-01)</i>	N/A	N/A	N/A	N/A	N/A



## Service and support administrator certificate

### Survey responses (DDD)

Description
<p>Service and Support Administrators serve as the main point of contact and coordination for services for individuals with developmental disabilities.</p> <p>Service and Support Administrators (SSAs) work with individuals to develop an Individual Service Plan (ISP) that allows them to live according to their needs and wishes, and serve as the main point of contact between the individual receiving services and those providing for their services and supports. SSAs also advocate for individuals with developmental disabilities.</p> <p>Service and Support Administration includes:</p> <ul style="list-style-type: none"><li>Assessments to determine specific service needs</li><li>Individual Service Planning (ISP)</li><li>Eligibility evaluation</li></ul> <ul style="list-style-type: none"><li>○ Assisting individuals in securing funds and services needed for health and welfare</li><li>○ Information and referral assistance</li><li>○ Service coordination and monitoring</li><li>○ Residential development</li><li>○ Crisis and emergency assistance</li><li>○ Community case management</li><li>○ Service and Support Administrators must be certified by the County Board of Developmental Disabilities.</li></ul>

**Type** (See R.C. 4798.01 for relevant definitions.)

Government certification

**If the regulation is a registration, certification, or license requirement, please complete the following:**

**Number issued annually**

These certifications are issued by the county boards of developmental disabilities. DODD does not keep or maintain this information.

**Number renewed annually**

These certifications are issued by the county boards of developmental disabilities. DODD does not keep or maintain this information.

**Have there been significant increases or decreases in active registrations, certifications or licenses in the preceding six years?**

These certifications are issued by the county boards of developmental disabilities. DODD does not keep or maintain this information.

**Education or training requirements**

A superintendent may issue service and support administrator certification for an initial period of five years to an applicant who holds an associate's degree, bachelor's degree, or graduate-level degree from an accredited college or university. Pursuant to sections [5126.15](#) and [5126.201](#) of the Revised Code, a person holding an associate's degree shall be a conditional status service and support administrator and shall perform the duties of service and support administration only under the supervision of a management employee who is a service and support administration supervisor.

**Experience requirements**

No experience required prior to certification.

**If the regulation is a registration, certification, or license requirement, please complete the following:**

<p><b>Examination requirements</b> (<i>Who administers the exam? How is the exam and administrator selected? What fees are charged? Does the Board receive any proceeds of those fees? If so, how are the proceeds used?</i>)</p>	<p>No</p>
<p><b>Continuing education requirements</b> (<i>Including a description of the curriculum and the process of setting it.</i>)</p>	<p>An 8 hour training must be completed within 90 days of hire and most cover the topics listed in O.A.C. 5123:2-5-02(C)(1)(b).</p> <p>Within the first year of hire/certification, an SSA must complete training covering the topics listed in O.A.C. 5123:2-5-02(C)(1)(c) and (C)(1)(d).</p> <p>Over the course of the 5 year certification, an SSA must complete 60 hours of continuing education.</p>
<p><b>Initial fee</b></p>	<p>\$50</p>
<p><b>Duration</b></p>	<p>5 years</p>
<p><b>Renewal fee</b> (<i>If different from initial fee, please explain why.</i>)</p>	<p>Same as initial</p>
<p><b>Does the Board recognize uniform licensure requirements or allow for reciprocity?</b></p>	<p>Yes, reciprocity between county boards.</p>
<p><b>Are there any similar national registrations, certifications, or licenses? Could they be used as a substitute for the state regulation?</b></p>	<p>No</p>

**If the regulation is a registration, certification, or license requirement, please complete the following:**

<b>Are there any circumstances in which an individual may practice elements of the occupation without being regulated by the board?</b>	No
<b>Is the Board permitted to exercise discretion in determining whether to register, certify, or license an individual?</b>	No
<b>Other information</b> ( <i>Significant attributes or prerequisites to licensure not addressed in this chart.</i> )	N/A

**Oversight and disciplinary authority of the Board respecting individuals engaged in the occupation.**

Denial, suspension, or revocation:

Service and support administration certification is subject to denial, suspension, or revocation in accordance with rule 5123-5-04 of the Administrative Code.

**How much revenue is derived from fees charged by the Board to individuals engaged in the occupation (such as license and renewal fees)? How is that revenue used?**

Unknown as the revenue is collected by the county board and not submitted to the Department.

**Describe any federal regulations that apply to the occupation. Does federal law require the state to regulate the occupation?**

No.

**What is the “harm” that the regulation seeks to prevent? (See, R.C. 4798.02(B).)**

Service and Support administrators (SSAs) are the main point of contact for individuals with developmental disabilities and their families. SSAs are responsible for overseeing budgets, billing Medicaid, identifying appropriate Medicaid services for individuals. To do these tasks, they must have proper education, training and experience.

**Is the regulation effective at preventing the harm described above? Are there other, less restrictive ways to prevent the harm?**

Yes, no less restrictive ways have been identified.

**Are there any changes the Board would like to see implemented?**

No.

**Comparison to other states** *(How many other states regulate the occupation? How do Ohio's regulations compare to those others states? Is Ohio more restrictive? Less restrictive? Or somewhere in between?)*

We have not done a comparison to other states' regulations.

## Surrounding state comparison (LSC)

Service and Support Administrator Certificate						
	Ohio	Indiana	Kentucky	Michigan	Pennsylvania	West Virginia
License required?	Yes ( <i>R.C. 5126.15, 5126.201, and 5126.25; O.A.C. 5123:2-5-02(C)(1)</i> )	No ( <i>Ind. Admin. Code Title 460</i> )	No, no state-level licensure requirements for employees of regional behavioral health, developmental, and intellectual disabilities boards ( <i>Ky. Rev. Stat. Ann. Chapter 210 and 210.770 et seq.; 908 Ky. Admin. Regs. 2:020</i> )	No ( <i>Mich. Admin. Code R. 330.2806</i> )	No, county facilities and agencies that are subject to licensure must comply with regulations in order to receive state funding (55 Pa. Code 4300.12)	No
Education or training	Associate's, bachelor's, or graduate-level degree from an accredited institution (associate's degree holders must perform duties under the supervision of a service and	N/A	N/A	N/A	N/A	N/A

**Service and Support Administrator Certificate**

	<b>Ohio</b>	<b>Indiana</b>	<b>Kentucky</b>	<b>Michigan</b>	<b>Pennsylvania</b>	<b>West Virginia</b>
	support administration supervisor  After hire, completion of Department-approved training  If less than one year of experience providing service and support administration, completion of a service and support administration training program  <i>(O.A.C. 5123:2-5-02(C)(1))</i>					
Experience	No	N/A	N/A	N/A	N/A	N/A
Exam	No	N/A	N/A	N/A	N/A	N/A
Continuing education	60 hours every five years <i>(O.A.C. 5123:2-5-02(C)(1))</i>	N/A	N/A	N/A	N/A	N/A



Service and Support Administrator Certificate						
	Ohio	Indiana	Kentucky	Michigan	Pennsylvania	West Virginia
Initial licensure fee	\$50 (O.A.C. 5123:2-5-02(E)(1))	N/A	N/A	N/A	N/A	N/A
License duration	Five years (O.A.C. 5123:2-5-02(C)(1))	N/A	N/A	N/A	N/A	N/A
Renewal fee	\$50 (O.A.C. 5123:2-5-02(E)(1))	N/A	N/A	N/A	N/A	N/A

## Service and support administration supervisor certificate

### Survey responses (DDD)

Description
A Service and Support Administrator Supervisor provides supervision and evaluation of Service Support Administrators. The SSA Supervisors ensure compliance with state and federal regulations with regard to service planning and oversees training of SSAs.

**Type** (See R.C. 4798.01 for relevant definitions.)

Government certification

**If the regulation is a registration, certification, or license requirement, please complete the following:**

**Number issued annually**

These certifications are issued by the county boards of developmental disabilities. DODD does not keep or maintain this information.

**Number renewed annually**

These certifications are issued by the county boards of developmental disabilities. DODD does not keep or maintain this information.

**Have there been significant increases or decreases in active registrations, certifications or licenses in the preceding six years?**

These certifications are issued by the county boards of developmental disabilities. DODD does not keep or maintain this information.

**Education or training requirements**

Bachelor's degree or graduate-level degree from an accredited college or university and at least four years of full-time (or equivalent part-time), supervised, paid work experience in programs or services for individuals with developmental disabilities.

**Experience requirements**

At least four years of full-time (or equivalent part-time), supervised, paid work experience in programs or services for individuals with developmental disabilities.

**If the regulation is a registration, certification, or license requirement, please complete the following:**

<p><b>Examination requirements</b> (<i>Who administers the exam? How is the exam and administrator selected? What fees are charged? Does the Board receive any proceeds of those fees? If so, how are the proceeds used?</i>)</p>	<p>None.</p>
<p><b>Continuing education requirements</b> (<i>Including a description of the curriculum and the process of setting it.</i>)</p>	<p>An 8 hour training must be completed within 90 days of hire and most cover the topics listed in 5123:2-5-02(C)(1)(b).</p> <p>Within the first year of hire/certification, an SSA Supervisor must complete training covering the topics listed in 5123:2-5-02(C)(1)(c) and (C)(1)(d).</p> <p>Over the course of the 5 year certification, an SSA Supervisor must complete 75 hours of continuing education.</p>
<p><b>Initial fee</b></p>	<p>\$75</p>
<p><b>Duration</b></p>	<p>5 years</p>
<p><b>Renewal fee</b> (<i>If different from initial fee, please explain why.</i>)</p>	<p>\$75</p>
<p><b>Does the Board recognize uniform licensure requirements or allow for reciprocity?</b></p>	<p>Yes, reciprocity between county boards</p>
<p><b>Are there any similar national registrations, certifications, or licenses? Could they be used as a substitute for the state regulation?</b></p>	<p>No</p>

**If the regulation is a registration, certification, or license requirement, please complete the following:**

<p><b>Are there any circumstances in which an individual may practice elements of the occupation without being regulated by the board?</b></p>	<p>No</p>
<p><b>Is the Board permitted to exercise discretion in determining whether to register, certify, or license an individual?</b></p>	<p>No</p>
<p><b>Other information</b> (<i>Significant attributes or prerequisites to licensure not addressed in this chart.</i>)</p>	<p>N/A</p>

**Oversight and disciplinary authority of the Board respecting individuals engaged in the occupation.**

Denial, suspension, or revocation

Service and support administration certification is subject to denial, suspension, or revocation in accordance with rule 5123-5-04 of the Administrative Code.

**How much revenue is derived from fees charged by the Board to individuals engaged in the occupation (such as license and renewal fees)?  
How is that revenue used?**

Unknown as these fees are collected and maintained by the county boards.

**Describe any federal regulations that apply to the occupation. Does federal law require the state to regulate the occupation?**

No.

**What is the “harm” that the regulation seeks to prevent? (See, R.C. 4798.02(B).)**

Service and Support administrators (SSAs) are the main point of contact for individuals with developmental disabilities and their families. SSAs are responsible for overseeing budgets, billing Medicaid, identifying appropriate Medicaid services for individuals. To do these tasks, they must have proper education, training and experience.

**Is the regulation effective at preventing the harm described above? Are there other, less restrictive ways to prevent the harm?**

Yes it is effective, no less restrictive ways.

**Are there any changes the Board would like to see implemented?**

No

**Comparison to other states** *(How many other states regulate the occupation? How do Ohio's regulations compare to those others states? Is Ohio more restrictive? Less restrictive? Or somewhere in between?)*

We have not done a comparison with other states' regulations.

## Surrounding state comparison (LSC)

Service and Support Administration Supervisor Certificate						
	Ohio	Indiana	Kentucky	Michigan	Pennsylvania	West Virginia
License required?	Yes ( <i>R.C. 5126.15, 5126.201, and 5126.25; O.A.C. 5123:2-5-02(C)(2)</i> )	No ( <i>Ind. Admin. Code Title 460</i> )	No, no state-level licensure requirements for employees of regional behavioral health, developmental, and intellectual disabilities boards ( <i>Ky. Rev. Stat. Ann. Chapter 210 and 210.770 et seq.; 908 Ky. Admin. Regs. 2:020</i> )	No ( <i>Mich. Admin. Code R. 330.2806</i> )	No, county facilities and agencies that are subject to licensure must comply with staffing regulations in order to receive state funding ( <i>55 Pa. Code 4300.12</i> )	No
Education or training	Bachelor's or graduate-level degree from an accredited institution  Completion of postemployment orientation program and Department-provided web-	N/A	N/A	N/A	N/A	N/A

**Service and Support Administration Supervisor Certificate**

	Ohio	Indiana	Kentucky	Michigan	Pennsylvania	West Virginia
	based training program  If less than one year of experience as a service and support administration supervisor, training must be specific to service and support administration  <i>(R.C. 5126.201; O.A.C. 5123:2-5-02(C)(2))</i>					
Experience	Four years supervised, paid work experience in programs or services for individuals with developmental disabilities <i>(O.A.C. 5123:2-5-02(C)(2))</i>	N/A	N/A	N/A	N/A	N/A
Exam	No	N/A	N/A	N/A	N/A	N/A



Service and Support Administration Supervisor Certificate						
	Ohio	Indiana	Kentucky	Michigan	Pennsylvania	West Virginia
Continuing education	75 hours every five years ( <i>O.A.C. 5123:2-5-02(C)(2)</i> )	N/A	N/A	N/A	N/A	N/A
Initial licensure fee	\$75 ( <i>O.A.C. 5123:2-5-02(E)(2)</i> )	N/A	N/A	N/A	N/A	N/A
License duration	Five years ( <i>O.A.C. 5123:2-5-02(C)(2)</i> )	N/A	N/A	N/A	N/A	N/A
Renewal fee	\$75 ( <i>O.A.C. 5123:2-5-02(E)(2)</i> )	N/A	N/A	N/A	N/A	N/A

**Superintendent of county DD board certificate**  
**Survey responses (DDD)**

Description
<p>Each county board of developmental disabilities shall either employ a superintendent or obtain the services of the superintendent of another county board of developmental disabilities. The board shall provide for a superintendent who is qualified, as specified in rules adopted by the department of developmental disabilities in accordance with Chapter 119. of the Revised Code. The superintendent shall have no voting privileges on the board.</p> <p>The superintendent must be certified by the Ohio Department of Developmental Disabilities and the powers of the superintendent are established in Ohio Revised Code 5126.0220.</p>

**Type** (See R.C. 4798.01 for relevant definitions.)

Government certification

**If the regulation is a registration, certification, or license requirement, please complete the following:**

**Number issued annually**

13

**Number renewed annually**

22

**Have there been significant increases or decreases in active registrations, certifications or licenses in the preceding six years?**

No; All 88 counties are required to have a superintendent. Therefore, the number remains constant throughout the five year renewal cycle.

**Education or training requirements**

Master's Degree, Doctorate or Juris Doctorate

**Experience requirements**

There are two pathways to meet the requirements to be issued:

Pathway 1:

The department may issue initial superintendent certification for a term of three years to an applicant who:

(a) Has an offer of employment in the position of superintendent, as evidenced by a resolution adopted by the employing county board;

**If the regulation is a registration, certification, or license requirement, please complete the following:**

	<p>(b) Holds a master’s degree, a doctorate degree, or a juris doctorate degree from an accredited college or university;</p> <p>(c) Has successfully completed five years of full-time (or equivalent part-time), supervised, paid work experience in administration, supervision, instruction, or habilitation of individuals with developmental disabilities, including three years in a management or supervisory capacity; and</p> <p>(d) Has submitted to the department in the format prescribed by the department, an application and supporting documentation sufficient to establish that he or she meets the requirements set forth in this rule.</p> <p>Pathway 2:</p> <p>The department may issue initial superintendent certification for a term of five years to an applicant who:</p> <p>(a) Holds a master’s degree, a doctorate degree, or a juris doctorate degree from an accredited college or university;</p> <p>(b) Has successfully completed five years of full-time (or equivalent part-time), supervised, paid work experience in administration, supervision, instruction, or habilitation of individuals with developmental disabilities, including three years in a management or supervisory capacity;</p> <p>(c) Has successfully completed an advanced curriculum for administrators in Ohio’s developmental disabilities service delivery system; and</p> <p>(d) Has submitted to the department in the format prescribed by the department, an application and supporting documentation sufficient to establish that he or she meets the requirements set forth in this rule.</p>
<p><b>Examination requirements</b> (<i>Who administers the exam? How is the exam and administrator selected? What fees are charged? Does the Board receive any proceeds of those fees? If so, how are the proceeds used?</i>)</p>	<p>No</p>

**If the regulation is a registration, certification, or license requirement, please complete the following:**

<p><b>Continuing education requirements</b> <i>(Including a description of the curriculum and the process of setting it.)</i></p>	<p>Each superintendent of a county board shall have a professional development plan which sets forth time lines for completing an advanced curriculum for administrators in Ohio's developmental disabilities service delivery system and/or continuing professional education, as applicable. The professional development plan shall require that continuing professional education be completed across the span of the superintendent's certification. The employing county board shall approve the superintendent's initial professional development plan within ninety calendar days of the superintendent's hire. Thereafter, the employing county board shall review, update, and approve the superintendent's professional development plan at least once per year.</p>
<p><b>Initial fee</b></p>	<p>None</p>
<p><b>Duration</b></p>	<p>3 or 5 years</p>
<p><b>Renewal fee</b> <i>(If different from initial fee, please explain why.)</i></p>	<p>None</p>
<p><b>Does the Board recognize uniform licensure requirements or allow for reciprocity?</b></p>	<p>No</p>
<p><b>Are there any similar national registrations, certifications, or licenses? Could they be used as a substitute for the state regulation?</b></p>	<p>No</p>
<p><b>Are there any circumstances in which an individual may practice elements of the occupation without being regulated by the board?</b></p>	<p>No</p>

**If the regulation is a registration, certification, or license requirement, please complete the following:**

**Is the Board permitted to exercise discretion in determining whether to register, certify, or license an individual?**

No

**Other information** (*Significant attributes or prerequisites to licensure not addressed in this chart.*)

Click or tap here to enter text.

**Oversight and disciplinary authority of the Board respecting individuals engaged in the occupation.**

Denial, suspension, or revocation

(1) The director shall deny, suspend, or revoke superintendent certification if he or she finds, pursuant to an adjudication conducted in accordance with Chapter 119. of the Revised Code, that the applicant for or holder of superintendent certification has engaged in an immoral act, incompetence, negligence, or conduct that is unbecoming to the applicant's or holder's position.

(2) Except as provided in paragraph (H)(3) of this rule, the director shall deny or revoke superintendent certification if he or she finds, pursuant to an adjudication conducted in accordance with Chapter 119. of the Revised Code, that the applicant for or holder of superintendent certification:

(a) Has been convicted of, pleaded guilty to, or been found eligible for intervention in lieu of conviction for any of the disqualifying offenses listed or described in paragraph (E)(1)(a) of rule 5123-2-02 of the Administrative Code;

(b) Has been convicted of, pleaded guilty to, or been found eligible for intervention in lieu of conviction for any of the disqualifying offenses listed or described in paragraph (E)(1)(b) of rule 5123-2-02 of the Administrative Code if a period of ten years has not elapsed from the date the applicant was fully discharged from imprisonment, probation, and parole;

(c) Has been convicted of, pleaded guilty to, or been found eligible for intervention in lieu of conviction for any of the disqualifying offenses listed or described in paragraph (E)(1)(c) of rule 5123-2-02 of the Administrative Code if a period of seven years has not elapsed from the date the applicant was fully discharged from imprisonment, probation, and parole;

(d) Has been convicted of, pleaded guilty to, or been found eligible for intervention in lieu of conviction for any of the disqualifying offenses listed or described in paragraph (E)(1)(d) of rule 5123-2-02 of the Administrative Code if a period of five years has not elapsed from the date the applicant was fully discharged from imprisonment, probation, and parole;

**Oversight and disciplinary authority of the Board respecting individuals engaged in the occupation.**

(e) Has been convicted of, pleaded guilty to, or been found eligible for intervention in lieu of conviction for multiple disqualifying offenses if the applicable period of time in accordance with paragraph (E)(2) of rule 5123-2-02 of the Administrative Code has not elapsed from the date the applicant was fully discharged from imprisonment, probation, and parole; or

(f) Has been included in one or more of the databases described in paragraphs (C)(2)(a) to (C)(2)(f) of rule 5123-2-02 of the Administrative Code.

(3) A conviction of or plea of guilty to a disqualifying offense listed or described in paragraphs (E)(1)(a) to (E)(1)(d) of rule 5123-2-02 of the Administrative Code shall not constitute grounds for the denial or revocation of superintendent certification if the requirements contained in paragraph (F) of rule 5123-2-02 of the Administrative Code are met.

(4) An applicant for or holder of superintendent certification shall disclose a conviction that has been sealed.

**How much revenue is derived from fees charged by the Board to individuals engaged in the occupation (such as license and renewal fees)? How is that revenue used?**

No fees are required for these certifications, therefore no revenue is generated.

**Describe any federal regulations that apply to the occupation. Does federal law require the state to regulate the occupation?**

No

**What is the “harm” that the regulation seeks to prevent? (See, R.C. 4798.02(B).)**

The regulation seeks to ensure that the county boards of developmental disabilities are run by superintendents who have the proper education and training. Superintendents are responsible for oversight over all county board staff and county board finances.

**Is the regulation effective at preventing the harm described above? Are there other, less restrictive ways to prevent the harm?**

No

**Are there any changes the Board would like to see implemented?**

No

**Comparison to other states** (How many other states regulate the occupation? How do Ohio's regulations compare to those others states? Is Ohio more restrictive? Less restrictive? Or somewhere in between?)

Unknown. We have not done a comparison with other states.

### Surrounding state comparison (LSC)

Superintendent of County Department of Disabilities Board Certificate						
	Ohio	Indiana	Kentucky	Michigan	Pennsylvania	West Virginia
License required?	Yes ( <i>R.C. 5126.25; O.A.C. 5123-5-03</i> )	No ( <i>Ind. Admin. Code Title 460</i> )	No, services are provided by regional behavioral health, developmental, and intellectual disabilities boards comprised of a board of directors, no superintendent position or license required ( <i>908 Ky. Admin. Regs. 2:030</i> )	No, but administrative regulations specify the education and experience required for county community mental health directors ( <i>Mich. Admin. Code R. 330.2081</i> )	No, the county board administrator is an appointed position and regulations specify the position's education and experience requirements ( <i>55 Pa. Code 4200.31 and 4200.33</i> )	No



**Superintendent of County Department of Disabilities Board Certificate**

	<b>Ohio</b>	<b>Indiana</b>	<b>Kentucky</b>	<b>Michigan</b>	<b>Pennsylvania</b>	<b>West Virginia</b>
Education or training	Master’s, doctorate, or juris doctorate degree from an accredited institution  For an initial certification, must have completed an advanced curriculum for administrators in Ohio’s DD service delivery system  <i>(O.A.C. 5123-5-03)</i>	N/A	N/A	N/A	N/A	N/A
Experience	Must have five years of supervised, paid work experience in administration, supervision, instruction, or habilitation of individuals with developmental disabilities, including three years in a	N/A	N/A	N/A	N/A	N/A

**Superintendent of County Department of Disabilities Board Certificate**

	<b>Ohio</b>	<b>Indiana</b>	<b>Kentucky</b>	<b>Michigan</b>	<b>Pennsylvania</b>	<b>West Virginia</b>
	management or supervisory capacity ( <i>O.A.C. 5123-5-03</i> )					
Exam	No	N/A	N/A	N/A	N/A	N/A
Continuing education	120 hours every five years ( <i>O.A.C. 5123-5-03</i> )	N/A	N/A	N/A	N/A	N/A
Initial licensure fee	Not specified ( <i>O.A.C. 5123-5-03</i> )	N/A	N/A	N/A	N/A	N/A
License duration	Five years ( <i>O.A.C. 5123-5-03</i> )	N/A	N/A	N/A	N/A	N/A
Renewal fee	Not specified ( <i>O.A.C. 5123-5-03</i> )	N/A	N/A	N/A	N/A	N/A

## Developmental specialist certificate

### Survey responses (DDD)

#### Description

Establishes minimum qualifications through certification standards for persons employed as developmental specialists who are trained to develop and implement evidence based strategies and intervention as part of an individualized family service plan (IFSP) team, which in includes but is not limited to, special instruction as described in appendix A of rule 5123-10-02 of the Administrative Code.

#### Type *(See R.C. 4798.01 for relevant definitions.)*

Government certification

#### If the regulation is a registration, certification, or license requirement, please complete the following:

##### Number issued annually

Year	DS 1-year Initial	DS 5-year Initial
2019	59	51

**If the regulation is a registration, certification, or license requirement, please complete the following:**

<p><b>Number renewed annually</b></p>	<table border="1" data-bbox="751 329 1497 469"> <thead> <tr> <th data-bbox="751 329 999 399">Year</th> <th data-bbox="999 329 1247 399">DS 1-year Renewal</th> <th data-bbox="1247 329 1497 399">DS 5-year Renewal</th> </tr> </thead> <tbody> <tr> <td data-bbox="751 399 999 469">2019</td> <td data-bbox="999 399 1247 469">86</td> <td data-bbox="1247 399 1497 469">36</td> </tr> </tbody> </table>	Year	DS 1-year Renewal	DS 5-year Renewal	2019	86	36
Year	DS 1-year Renewal	DS 5-year Renewal					
2019	86	36					
<p><b>Have there been significant increases or decreases in active registrations, certifications or licenses in the preceding six years?</b></p>	<p>No</p>						
<p><b>Education or training requirements</b></p>	<p>Three pathways:</p> <ol style="list-style-type: none"> <li>1. Bachelor’s degree or higher in education, health, social or behavioral science, social services, human services or related field from an accredited college or university.</li> <li>2. Bachelor’s degree or higher in an unrelated field from an accredited college or university and has at least two years of full-time paid experience working with children birth through age five with disabilities, developmental delays, or diagnosed physical and mental conditions that have a high probability of resulting in a developmental delay,</li> <li>3. Holds a valid license in counseling, early childhood education for ages three through eight, grades K through third, or special education, hearing impairment intervention, medicine, nursing, occupational therapy, physical therapy, psychology, psychiatry, social work, speech-language pathology or visual impairment intervention.</li> </ol> <p>Two levels of certification, the one year certification and the 5 year certification.</p> <p>If a DS with a one-year certification is missing college course or seminar in evaluation and assessment and infant/toddler growth and development then the DS must take these courses/seminars during the one-year certification.</p>						

<b>If the regulation is a registration, certification, or license requirement, please complete the following:</b>	
	<p>5 year developmental specialist must have completed one college course or seminar in the following areas:</p> <p>Evaluation and assessment, infant/toddler development, disabilities and risk factors, family-centered services and supports, team collaboration and individual family service plan development, intervention planning and service delivery.</p> <p>Training: Persons employed by or under contract with a county board as a developmental specialist shall complete annual training in: provisions governing the rights of individuals set forth in sections 5123.62 to 5123.64 of the Revised Code. Meet requirements of rule 5123; 2-17-02 of the Administrative Code including review of health and welfare alerts issued by the department since the previous year training.</p>
<b>Experience requirements</b>	<p>Pathway 1-no experience requirements</p> <p>Pathway 2- has at least two years of full-time paid experience working with children birth through age five with disabilities, developmental delays, or diagnosed physical and mental conditions that have a high probability of resulting in a developmental delay,</p> <p>Pathway 3-no experience requirements</p>
<b>Examination requirements</b> <i>(Who administers the exam? How is the exam and administrator selected? What fees are charged? Does the Board receive any proceeds of those fees? If so, how are the proceeds used?)</i>	None
<b>Continuing education requirements</b> <i>(Including a description of the curriculum and the process of setting it.)</i>	<p>Yes.</p> <p>1-year DS may renew the 1-year certification if they have successfully completed at least one college course of seminar in the following areas: Evaluation and assessment, infant/toddler development, disabilities and risk factors, family-centered services and supports, team collaboration and individual family service plan development, intervention planning and service delivery.</p>

If the regulation is a registration, certification, or license requirement, please complete the following:	
	<p>5 year DS certification may be renewed a when the DS has successfully completed fifty hours of professional development and worked at least 4000 hours directly providing early intervention services through individual family service plans, developing early intervention service policy and/or instructional materials during the period preceding developmental specialist certification.</p> <p>Successfully completed 80 hours of professional development during the period of the preceding developmental specialist certification.</p>
<b>Initial fee</b>	None
<b>Duration</b>	1 and 5 year certifications are issued
<b>Renewal fee</b> <i>(If different from initial fee, please explain why.)</i>	None
<b>Does the Board recognize uniform licensure requirements or allow for reciprocity?</b>	Yes, through other county boards. A superintendent of one county board may accept a certification issued by another county board.
<b>Are there any similar national registrations, certifications, or licenses? Could they be used as a substitute for the state regulation?</b>	No
<b>Are there any circumstances in which an individual may practice elements of the occupation without being regulated by the board?</b>	No

**If the regulation is a registration, certification, or license requirement, please complete the following:**

<p><b>Is the Board permitted to exercise discretion in determining whether to register, certify, or license an individual?</b></p>	<p>Yes. The rule currently allows DODD to waive educational requirements when the applicant or superintendent provides rationale for waiving a college course/seminar.</p>
<p><b>Other information</b> (<i>Significant attributes or prerequisites to licensure not addressed in this chart.</i>)</p>	<p>N/A</p>

**Oversight and disciplinary authority of the Board respecting individuals engaged in the occupation.**

An applicant for developmental specialist certification or early intervention supervisor certification whose application is disapproved based upon the applicant's failure to meet the requirements of this rule, may request in writing, within thirty days of the rejection, an administrative review by the director. The director's 5123:2-5-05 8 decision is final and may not be appealed. The director shall deny, suspend, or revoke early intervention services registration or certification if he or she finds, pursuant to an adjudication conducted in accordance with Chapter 119. of the Revised Code, that the applicant for or holder of early intervention services registration or certification has engaged in an immoral act, incompetence, negligence, or conduct that is unbecoming to the applicant's or holder's position. (2) Except as provided in paragraph (J)(3) of this rule, the director shall deny or revoke early intervention services registration or certification if he or she finds, pursuant to an adjudication conducted in accordance with Chapter 119. of the Revised Code, that the applicant for or holder of early intervention services registration or certification: (a) Has been convicted of or pleaded guilty to any of the disqualifying offenses listed or described in paragraph (E)(1)(a) of rule 5123:2-2-02 of the Administrative Code; (b) Has been convicted of or pleaded guilty to any of the disqualifying offenses listed or described in paragraph (E)(1)(b) of rule 5123:2-2-02 of the Administrative Code if a period of ten years has not elapsed from the date the applicant was fully discharged from imprisonment, probation, and parole; (c) Has been convicted of or pleaded guilty to any of the disqualifying offenses listed or described in paragraph (E)(1)(c) of rule 5123:2-2-02 of the Administrative Code if a period of seven years has not elapsed from the date the applicant was fully discharged from imprisonment, probation, and parole; (d) Has been convicted of or pleaded guilty to any of the disqualifying offenses listed or described in paragraph (E)(1)(d) of rule 5123:2-2-02 of the Administrative Code if a period of five years has not elapsed from the date the applicant was fully discharged from imprisonment, probation, and parole; (e) Has been convicted of or pleaded guilty to multiple disqualifying offenses if the applicable period of time in accordance with paragraph (E)(2) of rule 5123:2-2-02 of the Administrative Code has not elapsed from the date the applicant was fully discharged from imprisonment, probation, and parole; or (f) Has been included in one or more of the databases listed in paragraphs (C)(2)(a) to (C)(2)(e) of rule 5123:2-2-02 of the Administrative Code. (3) A conviction of or a plea of guilty to a disqualifying offense listed or described in paragraphs (E)(1)(a) to (E)(1)(d) of rule 5123:2-2-02 of the Administrative Code shall not constitute grounds for the denial or revocation of early intervention services registration or certification if the requirements in paragraph (F) of rule 5123:2-2-02 of the Administrative Code are met. (4) Applicants for or holders of

**Oversight and disciplinary authority of the Board respecting individuals engaged in the occupation.**

early intervention services registration or certification shall disclose a conviction for a disqualifying offense listed or described in paragraphs (E)(1)(a) to (E)(1)(d) of rule 5123:2-2-02 of the Administrative Code, including a conviction that has been sealed.

**How much revenue is derived from fees charged by the Board to individuals engaged in the occupation (such as license and renewal fees)? How is that revenue used?**

None.

**Describe any federal regulations that apply to the occupation. Does federal law require the state to regulate the occupation?**

34 CFR 303.118 requires that the lead agency for Part C include a comprehensive system of personnel development, including attracting, training and retaining highly qualified early intervention personnel promoting the preparation of early intervention service providers to provide appropriate services under IDEA Part C.

34 CFR 303.119 states that each early intervention system must address the establishment and maintenance of qualification standards to ensure personnel necessary to carry out the purposes of IDEA-C. This includes developing personnel standards including state recognized certification, licensing, and registration to ensure personnel are providing early intervention services that align with early learning personnel development standards.



**What is the “harm” that the regulation seeks to prevent? (See, R.C. 4798.02(B).)**

Ensures that eligible Ohio families have access to qualified personnel who are trained to implement innovative strategies and to support families in participating fully in the development and implementation of their individualized family service plan.

**Is the regulation effective at preventing the harm described above? Are there other, less restrictive ways to prevent the harm?**

Yes, it is effective.

**Are there any changes the Board would like to see implemented?**

This certification is no longer being issued. Instead, the department will issue early intervention service coordinator or early intervention supervisor certificate. See section below.

**Comparison to other states** (*How many other states regulate the occupation? How do Ohio's regulations compare to those others states? Is Ohio more restrictive? Less restrictive? Or somewhere in between?*)

We have not done a comparison with other states' regulations.

### Surrounding state comparison (LSC)

Early Intervention Services – Developmental Specialist Certificate						
	Ohio	Indiana	Kentucky	Michigan	Pennsylvania	West Virginia
License required?	Yes ( <i>R.C. 5126.25; O.A.C. 5123:2-5-05(C)(1)</i> )	No, providers participating in the First Steps Program must hold any necessary license in the respective field ( <i>Ind. Code Ann. 12-12.7-2-23 et seq.; 470 Ind. Admin. Code 3.1-5-1, 3.1-10-1, 3.1-10-3, and 3.1-12-3</i> )	No, providers must become participating providers in the First Steps Program and hold any necessary state license in the respective field ( <i>902 Ky. Admin. Regs. 30:150</i> )	No, appears to be established and regulated pursuant to the state plan approved under Part C of the federal "Individuals with Disabilities Education Act," 20 United States Code (U.S.C) 1431 et seq. ( <i>Michigan Department of Education, State Board of</i>	No, but position qualification requirements specified ( <i>55 Pa. Code 4226.29, 4226.30, 4226.53, and 4226.55</i> )	No, providers must hold any state license required for the profession or be otherwise qualified and must complete training ( <i>W. Va. Code Ann. 16-5K-2</i> )

Early Intervention Services – Developmental Specialist Certificate

	Ohio	Indiana	Kentucky	Michigan	Pennsylvania	West Virginia
				<i>Education, Early on Michigan State Plan)</i>		
Education or training	<p>One of the following:</p> <ol style="list-style-type: none"> <li>1. Bachelor’s or graduate-degree in a related field from an accredited institution;</li> <li>2. Degree in an unrelated field plus work experience; or</li> <li>3. Hold a license in a related field</li> </ol> <p>Completion of college courses in certain specified topics <i>(O.A.C. 5123:2-5-05(C)(1))</i></p>	N/A	N/A	N/A	<p>One of the following:</p> <ol style="list-style-type: none"> <li>1. Bachelor’s degree in early intervention, early childhood special education, early childhood education, child development, special education, or family studies from an accredited institution; or</li> <li>2. Bachelor’s degree that includes 15 credit hours in the above</li> </ol>	<p>Unspecified, but the training is described in the state’s early intervention services plan <i>(West Virginia Department of Health and Human Resources, WV Birth to Three Early Intervention System State Plan)</i></p>

Early Intervention Services – Developmental Specialist Certificate

	Ohio	Indiana	Kentucky	Michigan	Pennsylvania	West Virginia
					subjects from an accredited institution plus the experience described below  Preservice training in specified areas  Postemployment emergency training within 120 days of hire in fire safety, emergency evacuation, first aid, and CPR  <i>(55 Pa. Code 4226.29 and 4226.55)</i>	
Experience	Must be an employee of a county developmental disabilities board  If degree is in an unrelated field,	N/A	N/A	N/A	If bachelor's degree is not in a field described above, one year of full-time experience working directly	N/A

**Early Intervention Services – Developmental Specialist Certificate**

	<b>Ohio</b>	<b>Indiana</b>	<b>Kentucky</b>	<b>Michigan</b>	<b>Pennsylvania</b>	<b>West Virginia</b>
	two years supervised, paid work experience working with children from birth through age five with disabilities or holds a license in a related field <i>(O.A.C. 5123:2-5-05(C)(1))</i>				with preschool children with disabilities and their families or an institution of higher education-supervised student practicum or teaching experience with preschool children with disabilities and their families <i>(55 Pa. Code 4226.55)</i>	
Exam	No	N/A	N/A	N/A	No	N/A
Continuing education	Every five years: 1. 50 hours of professional development plus at least 4,000 hours work experience providing direct early intervention services	N/A	N/A	N/A	Annual renewal of preservice training described above  If working with at-risk children and infants and toddlers with disabilities, 24 hours of training annually, including cultural	N/A

Early Intervention Services – Developmental Specialist Certificate

	Ohio	Indiana	Kentucky	Michigan	Pennsylvania	West Virginia
	through individual family service plans or developing early intervention services policy or instructional materials during the preceding five years; or 2. 80 hours <i>(O.A.C. 5123:2-5-05(C)(1))</i>				competence, mediation, procedural safeguards, and universal health procedures <i>(55 Pa. Code 4226.30)</i>	
Initial licensure fee	Not specified <i>(O.A.C. 5123:2-5-05)</i>	N/A	N/A	N/A	N/A	N/A
License duration	Five years (one year for individuals who have not taken college-level courses in the specified topics)	N/A	N/A	N/A	N/A	N/A

Early Intervention Services – Developmental Specialist Certificate						
	Ohio	Indiana	Kentucky	Michigan	Pennsylvania	West Virginia
	<i>(O.A.C. 5123:2-5-05(C)(1))</i>					
Renewal fee	Not specified <i>(O.A.C. 5123:2-5-05)</i>	N/A	N/A	N/A	N/A	N/A

**Early intervention service coordinator and early intervention supervisor certificate**  
**Survey responses (DDD)**

Description
<p>Ohio credentials early intervention service coordinators assist and enable infants/toddler with a developmental delay or disability and their family to receive the services and rights, including procedural safeguards, required under IDEA, Part C. Credentialing standards for early intervention service coordinators and early intervention service coordinator supervisors is described in 5123-10-04. All persons working in the early intervention program as early intervention service coordinators or early intervention service coordinator supervisors shall hold the appropriate credential in accordance with the rule.</p> <p>This credential is administered by Ohio Professional Network (OCCRRA) on behalf of DODD.</p>
Type <i>(See R.C. 4798.01 for relevant definitions.)</i>
Government certification

If the regulation is a registration, certification, or license requirement, please complete the following:	
Number issued annually	FY19 - 560
Number renewed annually	FY19 –283
Have there been significant increases or decreases in active registrations, certifications or licenses in the preceding six years?	No
Education or training requirements	<p>There are five pathways to credentialing early intervention service coordinators:</p> <p>Pathway 1: one-year service coordinator credential</p> <p>Pathway 2: one-year service coordinator supervisor credential</p> <p>Pathway 3: five-year early intervention service coordinator credential</p> <p>Pathway 4: five-year early intervention service coordinator supervisor credential</p> <p><b>Pathway one: The one-year early intervention service coordinator:</b></p> <p>Be employed or under contract with an early intervention service coordination agency.</p> <p><b>Education:</b></p> <p>hold an associate’s degree or higher from an accredited college or university in audiology, child and family studies, counseling, education, hearing and speech sciences, human development, human ecology, human social services, medicine, nursing, nutrition science, occupational therapy, ophthalmology, optometry, physician assistant, physical therapy, psychology, rehabilitation, social work, or speech/language pathology.</p> <p>OR</p> <p>Holds a bachelor’s degree or higher from an accredited college or university in any field and has at least two years of verified full-time (or equivalent part-time) supervised, paid experience in case management and/or working with children birth to age five with disabilities, developmental</p>



**If the regulation is a registration, certification, or license requirement, please complete the following:**

delays, or diagnosed physical or mental conditions that have a high probability of resulting in a developmental delay.

**Training:**

Successfully complete the following trainings:

Introduction to early intervention services, mission and key principles in early intervention, family-centered early intervention practices, individualized family service plan overview, mandated reporting of suspected child abuse and neglect, service coordination duties and processes, parents rights and procedural safeguards in early intervention and infant and toddler development.

**Pathway2-one year early intervention service coordinator supervisor credential**

Be employed or under contract with an early intervention service coordination agency.

**Education:**

Hold an bachelor's degree or higher from an accredited college or university in audiology, child and family studies, counseling, education, hearing and speech sciences, human development, human ecology, human social services, medicine, nursing, nutrition science, occupational therapy, ophthalmology, optometry, physician assistant, physical therapy, psychology, rehabilitation, social work, or speech/language pathology.

OR

Hold an bachelor's degree or higher from an accredited college or university in any field and has at least three years of verified full-time (or equivalent part-time) supervised, paid experience in case management and/or working with children birth to age five with disabilities, developmental delays, or diagnosed physical or mental conditions that have a high probability of resulting in a developmental delay.

**Training:**

Successfully completes the following trainings:

Introduction to early intervention services, mission and key principles in early intervention, family-centered early intervention practices, individualized family service plan overview,

**If the regulation is a registration, certification, or license requirement, please complete the following:**

mandated reporting of suspected child abuse and neglect, service coordination duties and processes, parents rights and procedural safeguards in early intervention and infant and toddler development.

**Pathway 3: five-year early intervention service coordinator credential**

**Education:**

Pathway 1: hold an associate's degree or higher from an accredited college or university in audiology, child and family studies, counseling, education, hearing and speech sciences, human development, human ecology, human social services, medicine, nursing, nutrition science, occupational therapy, ophthalmology, optometry, physician assistant, physical therapy, psychology, rehabilitation, social work, or speech/language pathology.

OR

Holds an associate degree or higher from an accredited college or university in any field and has at least two years of verified full-time (or equivalent part-time) supervised, paid experience in case management and/or working with children birth to age five with disabilities, developmental delays, or diagnosed physical or mental conditions that have a high probability of resulting in a developmental delay.

**Training:**

Successfully completes the following trainings:

Introduction to early intervention services, mission and key principles in early intervention, family-centered early intervention practices, individualized family service plan overview, mandated reporting of suspected child abuse and neglect, service coordination duties and processes, parents rights and procedural safeguards in early intervention and infant and toddler development.

Completed all components of principles of service coordination, and has documentation demonstrating successful completion of early intervention service coordination skills and competencies checklist.

**Pathway 4: five-year early intervention service coordinator supervisor credential**

**If the regulation is a registration, certification, or license requirement, please complete the following:**

	<p><b>Education:</b></p> <p>Holds an bachelor’s degree or higher from an accredited college or university in audiology, child and family studies, counseling, education, hearing and speech sciences, human development, human ecology, human social services, medicine, nursing, nutrition science, occupational therapy, ophthalmology, optometry, physician assistant, physical therapy, psychology, rehabilitation, social work, or speech/language pathology.</p> <p>OR</p> <p>Holds an associate degree or higher from an accredited college or university in any field and has at least three years of verified full-tine (or equivalent part-time) supervised, paid experience in case management and/or working with children birth to age fie with disabilities, developmental delays, or diagnosed physical or mental conditions that have a high probability of resulting in a developmental delay.</p> <p><b>Training:</b></p> <p>Successfully completes the following trainings:</p> <p>Introduction to early intervention services, mission and key principles in early intervention, family-centered early intervention practices, individualized family service plan overview, mandated reporting of suspected child abuse and neglect, service coordination duties and processes, parents rights and procedural safeguards in early intervention and infant and toddler development.</p> <p>Complete all components of principles of service coordination, and has documentation demonstrating successful completion of professional development in reflective supervision techniques.</p>
<p><b>Experience requirements</b></p>	<p>Pathway 1 and 3 (1-year credentials)</p> <p>Holds an associate degree or higher from an accredited college or university in any field and has at least two years for pathway one and three years for pathway three of verified full-tine (or equivalent part-time) supervised, paid experience in case management and/or working with</p>

If the regulation is a registration, certification, or license requirement, please complete the following:	
	children birth to age five with disabilities, developmental delays, or diagnosed physical or mental conditions that have a high probability of resulting in a developmental delay
<b>Examination requirements</b> ( <i>Who administers the exam? How is the exam and administrator selected? What fees are charged? Does the Board receive any proceeds of those fees? If so, how are the proceeds used?</i> )	Successful completion of principles of service coordination requires passing a competency assessment and passing cut off is 80%.  DODD administers. No fees charged.
<b>Continuing education requirements</b> ( <i>Including a description of the curriculum and the process of setting it.</i> )	1-year credentials may be renewed one time for a subsequent period of one year for an applicant who needs additional time to meet the requirements for the 5-year credential and who is employed or under contract with an early intervention service coordination agency.  5-year early intervention service coordinator credential may be renewed for subsequent periods of five years for applicants who have worked for 4000 hours during the most recent five-year period as an early intervention service coordinator and/or directly providing early intervention services through the individualized family service plans and completed 50 hours of professional development  5-year early intervention service coordinator supervisor credential may be renewed for subsequent periods of five years for applicants who have successfully completed 50 hours of professional development.
<b>Initial fee</b>	None
<b>Duration</b>	1 or 5 years
<b>Renewal fee</b> ( <i>If different from initial fee, please explain why.</i> )	None

**If the regulation is a registration, certification, or license requirement, please complete the following:**

<b>Does the Board recognize uniform licensure requirements or allow for reciprocity?</b>	No
<b>Are there any similar national registrations, certifications, or licenses? Could they be used as a substitute for the state regulation?</b>	No
<b>Are there any circumstances in which an individual may practice elements of the occupation without being regulated by the board?</b>	No
<b>Is the Board permitted to exercise discretion in determining whether to register, certify, or license an individual?</b>	No
<b>Other information</b> ( <i>Significant attributes or prerequisites to licensure not addressed in this chart.</i> )	N/A

**Oversight and disciplinary authority of the Board respecting individuals engaged in the occupation.**

Appeal and administrative review

(1) An applicant for the early intervention service coordinator credential or the early intervention service coordination supervisor credential whose application is denied may appeal to the entity under contract with the department for the purpose of hearing such appeals. The applicant may submit additional education, training, credentials, or other documentation to support his or her appeal. The entity under contract with the department for the purpose of hearing such appeals shall evaluate the appeal and respond to the applicant within fourteen calendar days. If after completing the process set forth in this paragraph, the applicant still believes that his or her application should not have been denied, the applicant may request an administrative review by the director in accordance with paragraph (H)(2) of this rule.

**Oversight and disciplinary authority of the Board respecting individuals engaged in the occupation.**

(2) An applicant for the early intervention service coordinator credential or the early intervention service coordination supervisor credential whose appeal submitted in accordance with paragraph (H)(1) of this rule is denied, may request in writing, within thirty calendar days of the denial, an administrative review by the director. The applicant may submit additional education, training, credentials, or other documentation to support his or her request. The director shall evaluate the request and respond to the applicant within thirty calendar days. The director's decision is final and may not be appealed.

(I) Denial, suspension, or revocation

(1) The director shall deny, suspend, or revoke an early intervention service coordinator credential or an early intervention service coordination supervisor credential if he or she finds, pursuant to an adjudication conducted in accordance with Chapter 119. of the Revised Code, that the applicant or holder has engaged in an immoral act, incompetence, negligence, or conduct that is unbecoming to the applicant's or holder's position.

(2) The director shall deny or revoke an early intervention service coordinator credential or an early intervention service coordination supervisor credential if he or she finds, pursuant to an adjudication conducted in accordance with Chapter 119. of the Revised Code, that the applicant or holder:

(a) Has been convicted of or pleaded guilty to any of the disqualifying offenses listed or described in paragraph (E)(1)(a) of rule 5123:2-2-02 of the Administrative Code;

(b) Has been convicted of or pleaded guilty to any of the disqualifying offenses listed or described in paragraph (E)(1)(b) of rule 5123:2-2-02 of the Administrative Code if a period of ten years has not elapsed from the date the applicant was fully discharged from imprisonment, probation, and parole;

(c) Has been convicted of or pleaded guilty to any of the disqualifying offenses listed or described in paragraph (E)(1)(c) of rule 5123:2-2-02 of the Administrative Code if a period of seven years has not elapsed from the date the applicant was fully discharged from imprisonment, probation, and parole;

(d) Has been convicted of or pleaded guilty to any of the disqualifying offenses listed or described in paragraph (E)(1)(d) of rule 5123:2-2-02 of the Administrative Code if a period of five years has not elapsed from the date the applicant was fully discharged from imprisonment, probation, and parole;

(e) Has been convicted of or pleaded guilty to multiple disqualifying offenses if the applicable period of time in accordance with paragraph (E)(2) of rule 5123:2-2-02 of the Administrative Code has not elapsed from the date the applicant was fully discharged from imprisonment, probation, and parole; or

(f) Has been included in one or more of the databases listed in paragraph (C)(2) of rule 5123:2-2-02 of the Administrative Code.

**Oversight and disciplinary authority of the Board respecting individuals engaged in the occupation.**

(3) A conviction of or a plea of guilty to a disqualifying offense listed or described in paragraphs (E)(1)(a) to (E)(1)(d) of rule 5123:2-2-02 of the Administrative Code shall not constitute grounds for the denial or revocation of an early intervention service coordinator credential or an early intervention service coordination supervisor credential if the requirements in paragraph (F) of rule 5123:2-2-02 of the Administrative Code are met.

(4) Applicants for or holders of an early intervention service coordinator credential or an early intervention service coordination supervisor credential shall disclose a conviction for a disqualifying offense listed or described in paragraphs (E) (1)(a) to (E)(1)(d) of rule 5123:2-2-02 of the Administrative Code, including a conviction that has been sealed.

**How much revenue is derived from fees charged by the Board to individuals engaged in the occupation (such as license and renewal fees)?  
How is that revenue used?**

No revenue is generated.

**Describe any federal regulations that apply to the occupation. Does federal law require the state to regulate the occupation?**

34 CFR 303.118 requires that the lead agency for Part C include a comprehensive system of personnel development, including attracting, training and retaining highly qualified early intervention personnel promoting the preparation of early intervention service providers to provide appropriate services under IDEA Part C.

34 CFR 303.119 states that each early intervention system must address the establishment and maintenance of qualification standards to ensure personnel necessary to carry out the purposes of IDEA-C. This includes developing personnel standards including state recognized certification, licensing, and registration to ensure personnel are providing early intervention services that align with early learning personnel development standards.

**What is the “harm” that the regulation seeks to prevent? (See, R.C. 4798.02(B).)**

Ensures that eligible Ohio families have access to qualified personnel who are trained to implement innovative strategies in all five developmental domains and to support families in participating fully in the development and implementation of their individualized family service plan.

**Is the regulation effective at preventing the harm described above? Are there other, less restrictive ways to prevent the harm?**

The current system is effective.

**Are there any changes the Board would like to see implemented?**

Not at this time.



**Comparison to other states** (How many other states regulate the occupation? How do Ohio's regulations compare to those others states? Is Ohio more restrictive? Less restrictive? Or somewhere in between?)

We have not done a comparison with other states' regulations.

### Surrounding state comparison (LSC)

Early Intervention Supervisor Certificate						
	Ohio	Indiana	Kentucky	Michigan	Pennsylvania	West Virginia
License required?	Yes ( <i>R.C. 5126.25; O.A.C. 5123:2-5-05(C)(2)</i> )	No, providers must hold any necessary license in the respective field ( <i>Ind. Code Ann. 12-12.7-2-23 et seq.; 470 Ind. Admin. Code 3.1-5-1, 3.1-10-1, 3.1-10-3, and 3.1-12-3</i> )	No, providers must become participating providers in the First Steps Program and hold any necessary state license in the respective field ( <i>902 Ky. Admin. Regs. 30:150</i> )	No, not codified, appears to be established and regulated pursuant to the state plan approved under Part C of the federal "Individuals with Disabilities Education Act," 20 U.S.C. 1431 <i>et seq.</i> ( <i>Michigan Department of Education, State Board of</i>	No ( <i>55 Pa. Code 4226.29, 4226.30, 4226.53, and 4226.55</i> )	No, personnel must hold any state license required for the profession or be otherwise qualified and must complete training ( <i>W. Va. Code Ann. 16-5K-2</i> )

Early Intervention Supervisor Certificate						
	Ohio	Indiana	Kentucky	Michigan	Pennsylvania	West Virginia
				<i>Education, Early on Michigan State Plan)</i>		
Education or training	<p>One of the following:</p> <ol style="list-style-type: none"> <li>1. Bachelor's or graduate-degree in a related field from an accredited institution;</li> <li>2. Degree in an unrelated field plus work experience; or</li> <li>3. Hold a license in a related field</li> </ol> <p>Completion of college courses in certain specified topics (O.A.C. 5123:2-5-05(C)(2))</p>	N/A	N/A	N/A	N/A	<p>Unspecified, but the training is described in the state's early intervention services plan (<i>West Virginia Department of Health and Human Resources, WV Birth to Three Early Intervention System State Plan</i>)</p>

**Early Intervention Supervisor Certificate**

	<b>Ohio</b>	<b>Indiana</b>	<b>Kentucky</b>	<b>Michigan</b>	<b>Pennsylvania</b>	<b>West Virginia</b>
Experience	Four years of supervised, paid experience working with children from birth to age five with disabilities or two years of experience with children with disabilities plus two years supervised, paid experience in supervisory role (O.A.C. 5123:2-5-05(C)(2))	N/A	N/A	N/A	N/A	N/A
Exam	No	N/A	N/A	N/A	N/A	N/A
Continuing education	120 hours or 75 hours plus 4,000 work hours supervising early intervention service providers (O.A.C. 5123:2-5-05(C)(2))	N/A	N/A	N/A	N/A	N/A

Early Intervention Supervisor Certificate						
	Ohio	Indiana	Kentucky	Michigan	Pennsylvania	West Virginia
Initial licensure fee	Not specified (O.A.C. 5123:2-5-05)	N/A	N/A	N/A	N/A	N/A
License duration	Five years (O.A.C. 5123:2-5-05(C)(2))	N/A	N/A	N/A	N/A	N/A
Renewal fee	Not specified (O.A.C. 5123:2-5-05)	N/A	N/A	N/A	N/A	N/A

## Level one investigative agent certificate

### Survey responses (DDD)

Description
A certificate issued to applicants for a five-year period when the applicant meets requirements outlined in OAC 5123-5-07 (L)(a) (iii). This certificate allows applicant to conduct administrative investigation for individuals with developmental disabilities on behalf of a county board or council of government.

**Type** (See R.C. 4798.01 for relevant definitions.)

Government certification

**If the regulation is a registration, certification, or license requirement, please complete the following:**

**Number issued annually**

9

**Number renewed annually**

13

**Have there been significant increases or decreases in active registrations, certifications or licenses in the preceding six years?**

There have been a significant decline in number of people applying for Level One certification and renewal from 2016-2020.

**Education or training requirements**

A bachelor's degree or graduate-level degree from an accredited college or university; or (b) Hold an associate's degree from an accredited college or university or have achieved at least junior year standing at an accredited college or university and have successfully completed two years full-time (or part-time equivalent), supervised, paid work experience in conducting administrative, civil, and/or criminal investigations; or old an associate's degree from an accredited college or university or have achieved at least junior year standing at an accredited college or university and have successfully completed two years full-time (or part-time equivalent), supervised, paid work experience in administration, supervision, instruction, or habilitation of individuals with developmental disabilities; or (d) Have successfully completed Ohio peace officer basic training or a comparable program and have successfully completed

If the regulation is a registration, certification, or license requirement, please complete the following:	
	5123-5-07 3 two years full-time (or part-time equivalent), supervised, paid work experience in conducting administrative, civil, and/or criminal investigations;
<b>Experience requirements</b>	If educational requirements are not met, the applicant must have successfully completed four years full-time (or part-time equivalent), supervised, paid work experience in conducting administrative, civil, and/or criminal investigations.
<b>Examination requirements</b> ( <i>Who administers the exam? How is the exam and administrator selected? What fees are charged? Does the Board receive any proceeds of those fees? If so, how are the proceeds used?</i> )	None
<b>Continuing education requirements</b> ( <i>Including a description of the curriculum and the process of setting it.</i> )	The level one investigative agent shall successfully complete department approved training in civil and criminal investigatory practices within the first year of his or her employment as an investigative agent.  Over the course of the five year certification, a level one investigative agent shall successfully completed fifty hours of continuing professional education subsequent to the effective date of the preceding level one investigative agent certification, of which at least ten hours shall be related to: (a) Conducting investigations; and/or (b) Trauma informed care as the basis for interacting with individuals with developmental disabilities, families, guardians, direct support professionals, and others during the course of an investigation
<b>Initial fee</b>	None
<b>Duration</b>	5 years
<b>Renewal fee</b> ( <i>If different from initial fee, please explain why.</i> )	None

**If the regulation is a registration, certification, or license requirement, please complete the following:**

<b>Does the Board recognize uniform licensure requirements or allow for reciprocity?</b>	No
<b>Are there any similar national registrations, certifications, or licenses? Could they be used as a substitute for the state regulation?</b>	No
<b>Are there any circumstances in which an individual may practice elements of the occupation without being regulated by the board?</b>	Yes
<b>Is the Board permitted to exercise discretion in determining whether to register, certify, or license an individual?</b>	No
<b>Other information</b> ( <i>Significant attributes or prerequisites to licensure not addressed in this chart.</i> )	N/A

**Oversight and disciplinary authority of the Board respecting individuals engaged in the occupation.**

The director shall deny, suspend, or revoke investigative agent certification if he or she finds, pursuant to an adjudication conducted in accordance with Chapter 119. of the Revised Code, that the applicant for or holder of investigative agent certification has engaged in an immoral act, incompetence, negligence, or conduct that is unbecoming to the applicant's or holder's position. (2) Except as provided in paragraph (H)(3) of this rule, the director shall deny or revoke investigative agent certification if he or she finds, pursuant to an adjudication conducted in accordance with Chapter 119. of the Revised Code, that the applicant for or holder of investigative agent certification: 5123-5-07 7 (a) Has been convicted of, pleaded guilty to, or been found eligible for intervention in lieu of conviction for any of the disqualifying offenses listed or described in paragraph (E)(1)(a) of rule 5123-2-02 of the Administrative Code; (b) Has been convicted of, pleaded guilty to, or been found eligible for intervention in lieu of conviction for any of the disqualifying offenses listed or described in paragraph (E)(1)(b) of rule 5123-

**Oversight and disciplinary authority of the Board respecting individuals engaged in the occupation.**

2-02 of the Administrative Code if a period of ten years has not elapsed from the date the applicant was fully discharged from imprisonment, probation, and parole; (c) Has been convicted of, pleaded guilty to, or been found eligible for intervention in lieu of conviction for any of the disqualifying offenses listed or described in paragraph (E)(1)(c) of rule 5123-2-02 of the Administrative Code if a period of seven years has not elapsed from the date the applicant was fully discharged from imprisonment, probation, and parole; (d) Has been convicted of, pleaded guilty to, or been found eligible for intervention in lieu of conviction for any of the disqualifying offenses listed or described in paragraph (E)(1)(d) of rule 5123-2-02 of the Administrative Code if a period of five years has not elapsed from the date the applicant was fully discharged from imprisonment, probation, and parole; (e) Has been convicted of, pleaded guilty to, or been found eligible for intervention in lieu of conviction for multiple disqualifying offenses if the applicable period of time in accordance with paragraph (E)(2) of rule 5123-2-02 of the Administrative Code has not elapsed from the date the applicant was fully discharged from imprisonment, probation, and parole; or (f) Has been included in one or more of the databases described in paragraphs (C)(2)(a) to (C)(2)(f) of rule 5123-2-02 of the Administrative Code. (3) A conviction of or plea of guilty to a disqualifying offense listed or described in paragraphs (E)(1)(a) to (E)(1)(d) of rule 5123-2-02 of the Administrative Code shall not constitute grounds for the denial or revocation of investigative agent certification if the requirements contained in paragraph (F) of rule 5123-2-02 of the Administrative Code are met.

**How much revenue is derived from fees charged by the Board to individuals engaged in the occupation (such as license and renewal fees)?  
How is that revenue used?**

None



**Describe any federal regulations that apply to the occupation. Does federal law require the state to regulate the occupation?**

No

**What is the “harm” that the regulation seeks to prevent? (See, R.C. 4798.02(B).)**

The regulation seeks to ensure that investigative agents have the proper training and experience to conduct administrative investigations of direct care staff suspected of engaging in prohibited behavior (abuse, neglect, misappropriation, etc) of individuals with developmental disabilities.

**Is the regulation effective at preventing the harm described above? Are there other, less restrictive ways to prevent the harm?**

Yes.

**Are there any changes the Board would like to see implemented?**

No

**Comparison to other states** *(How many other states regulate the occupation? How do Ohio’s regulations compare to those others states? Is Ohio more restrictive? Less restrictive? Or somewhere in between?)*

We have not done a comparison with other states’ regulations.

**Surrounding state comparison (LSC)**

Level One Investigative Agent Certificate						
	Ohio	Indiana	Kentucky	Michigan	Pennsylvania	West Virginia
License required?	Yes <i>(R.C. 5126.221; O.A.C. 5123-5-07(C)(1))</i>	No <i>(Ind. Admin. Code Title 460)</i>	No, no state-level licensure requirements for employees of regional behavioral health, developmental,	No <i>(Mich. Admin. Code R. 330.2806)</i>	Yes – certified investigator <i>(55 Pa. Code 51.19)</i>	No

**Level One Investigative Agent Certificate**

	Ohio	Indiana	Kentucky	Michigan	Pennsylvania	West Virginia
			and intellectual disabilities boards <i>(Ky. Rev. Stat. Ann. Chapter 210 and 210.770 et seq.; 908 Ky. Admin. Regs. 2:020)</i>			
Education or training	High school diploma or GED  Bachelor's or graduate-level degree from an accredited institution or an associate's degree plus experience listed below  Must complete Department-approved postemployment training  <i>(O.A.C. 5123-5-07(C)(1))</i>	N/A	N/A	N/A	High school diploma or GED  Complete Department of Human Services certification training (must complete the web-based portion of the training within three months of enrolling in the training course)  <i>(55 Pa. Code 51.19)</i>	N/A
Experience	If holder of an associate's	N/A	N/A	N/A	No <i>(55 Pa. Code 51.19)</i>	N/A

**Level One Investigative Agent Certificate**

	<b>Ohio</b>	<b>Indiana</b>	<b>Kentucky</b>	<b>Michigan</b>	<b>Pennsylvania</b>	<b>West Virginia</b>
	degree, two years of supervised, paid work experience or completion of the Ohio peace officer basic training or a comparable program plus two years supervised, paid work experience conducting administrative, civil, or criminal investigations, or four years' experience conducting administrative, civil, or criminal investigations <i>(O.A.C. 5123-5-07(C)(1))</i>					
Exam	No	N/A	N/A	N/A	Yes (55 Pa. Code 51.19)	N/A

**Level One Investigative Agent Certificate**

	Ohio	Indiana	Kentucky	Michigan	Pennsylvania	West Virginia
Continuing education	50 hours every five years ( <i>O.A.C. 5123-5-07(C)(1)</i> )	N/A	N/A	N/A	Attend a one-day certification class every three years  If conducted less than three investigations during a certification period, investigator must actively participate in a quarterly or semiannual review of the quality of investigations by serving as a member of a peer review or risk management committee  <i>(55 Pa. Code 51.19)</i>	N/A
Initial licensure fee	Not specified ( <i>O.A.C. 5123:5-07</i> )	N/A	N/A	N/A	Not specified ( <i>55 Pa. Code 51.19</i> )	N/A

Level One Investigative Agent Certificate						
	Ohio	Indiana	Kentucky	Michigan	Pennsylvania	West Virginia
License duration	Five years ( <i>O.A.C. 5123-5-07(C)(1)</i> )	N/A	N/A	N/A	Three years ( <i>55 Pa. Code 51.19</i> )	N/A
Renewal fee	Not specified ( <i>O.A.C. 5123:5-07</i> )	N/A	N/A	N/A	Not specified ( <i>55 Pa. Code 51.19</i> )	N/A

## Level two investigative agent certificate

### Survey responses (DDD)

Description
A certificate issued to applicants for a two-year period when the applicant meets requirements outlined in OAC 5123-5-07 (2)(a)(iii). This certificate allows applicant to conduct administrative investigation for individuals with developmental disabilities on behalf of a county board or council of government.
Type (See R.C. 4798.01 for relevant definitions.)
Government certification

If the regulation is a registration, certification, or license requirement, please complete the following:	
<b>Number issued annually</b>	3
<b>Number renewed annually</b>	3
<b>Have there been significant increases or decreases in active registrations, certifications or licenses in the preceding six years?</b>	No
<b>Education or training requirements</b>	An associate degree from an accredited college or university or have achieved at least junior year standing at an accredited college or university; or (b) Have successfully completed Ohio peace officer basic training or a comparable program; or
<b>Experience requirements</b>	Successfully completed two years full-time (or part-time equivalent), supervised, paid work experience in conducting administrative, civil, and/or criminal investigation and be employed by or under contract with a county board or a regional council of governments formed pursuant to section 5126.13 of the Revised Code by two or more county boards to conduct investigations pursuant to section 5126.313 of the Revised Code.
<b>Examination requirements</b> ( <i>Who administers the exam? How is the exam and administrator selected? What fees are charged? Does the Board receive any proceeds of those fees? If so, how are the proceeds used?</i> )	None
<b>Continuing education requirements</b> ( <i>Including a description of the curriculum and the process of setting it.</i> )	The level two investigative agent shall successfully complete department approved training in civil and criminal investigatory practices within the first year of his or her employment as an investigative agent.

If the regulation is a registration, certification, or license requirement, please complete the following:	
	Over the course of the 2 year certification period, the level two investigative agent complete twenty hours of continuing professional education subsequent to the effective date of the preceding level two investigative agent certification, of which at least four hours shall be related to (a) Conducting investigations; and/or (b) Trauma informed care as the basis for interacting with individuals with developmental disabilities, families, guardians, direct support professionals, and others during the course of an investigation.
<b>Initial fee</b>	None
<b>Duration</b>	2 years
<b>Renewal fee</b> <i>(If different from initial fee, please explain why.)</i>	None
<b>Does the Board recognize uniform licensure requirements or allow for reciprocity?</b>	No
<b>Are there any similar national registrations, certifications, or licenses? Could they be used as a substitute for the state regulation?</b>	No
<b>Are there any circumstances in which an individual may practice elements of the occupation without being regulated by the board?</b>	No
<b>Is the Board permitted to exercise discretion in determining whether to register, certify, or license an individual?</b>	No



**If the regulation is a registration, certification, or license requirement, please complete the following:**

**Other information** (*Significant attributes or prerequisites to licensure not addressed in this chart.*)

N/A

**Oversight and disciplinary authority of the Board respecting individuals engaged in the occupation.**

The director shall deny, suspend, or revoke investigative agent certification if he or she finds, pursuant to an adjudication conducted in accordance with Chapter 119. of the Revised Code, that the applicant for or holder of investigative agent certification has engaged in an immoral act, incompetence, negligence, or conduct that is unbecoming to the applicant's or holder's position. (2) Except as provided in paragraph (H)(3) of this rule, the director shall deny or revoke investigative agent certification if he or she finds, pursuant to an adjudication conducted in accordance with Chapter 119. of the Revised Code, that the applicant for or holder of investigative agent certification: 5123-5-07 7 (a) Has been convicted of, pleaded guilty to, or been found eligible for intervention in lieu of conviction for any of the disqualifying offenses listed or described in paragraph (E)(1)(a) of rule 5123-2-02 of the Administrative Code; (b) Has been convicted of, pleaded guilty to, or been found eligible for intervention in lieu of conviction for any of the disqualifying offenses listed or described in paragraph (E)(1)(b) of rule 5123-2-02 of the Administrative Code if a period of ten years has not elapsed from the date the applicant was fully discharged from imprisonment, probation, and parole; (c) Has been convicted of, pleaded guilty to, or been found eligible for intervention in lieu of conviction for any of the disqualifying offenses listed or described in paragraph (E)(1)(c) of rule 5123-2-02 of the Administrative Code if a period of seven years has not elapsed from the date the applicant was fully discharged from imprisonment, probation, and parole; (d) Has been convicted of, pleaded guilty to, or been found eligible for intervention in lieu of conviction for any of the disqualifying offenses listed or described in paragraph (E)(1)(d) of rule 5123-2-02 of the Administrative Code if a period of five years has not elapsed from the date the applicant was fully discharged from imprisonment, probation, and parole; (e) Has been convicted of, pleaded guilty to, or been found eligible for intervention in lieu of conviction for multiple disqualifying offenses if the applicable period of time in accordance with paragraph (E)(2) of rule 5123-2-02 of the Administrative Code has not elapsed from the date the applicant was fully discharged from imprisonment, probation, and parole; or (f) Has been included in one or more of the databases described in paragraphs (C)(2)(a) to (C)(2)(f) of rule 5123-2-02 of the Administrative Code. (3) A conviction of or plea of guilty to a disqualifying offense listed or described in paragraphs (E)(1)(a) to (E)(1)(d) of rule 5123-2-02 of the Administrative Code shall not constitute grounds for the denial or revocation of investigative agent certification if the requirements contained in paragraph (F) of rule 5123-2-02 of the Administrative Code are met.

**How much revenue is derived from fees charged by the Board to individuals engaged in the occupation (such as license and renewal fees)?  
How is that revenue used?**

None

**Describe any federal regulations that apply to the occupation. Does federal law require the state to regulate the occupation?**

None

**What is the “harm” that the regulation seeks to prevent? (See, R.C. 4798.02(B).)**

The regulation seeks to ensure that investigative agents have the proper training and experience to conduct administrative investigations of direct care staff suspected of engaging in prohibited behavior (abuse, neglect, misappropriation, etc.) of individuals with developmental disabilities.

**Is the regulation effective at preventing the harm described above? Are there other, less restrictive ways to prevent the harm?**

Yes.

**Are there any changes the Board would like to see implemented?**

No

**Comparison to other states** *(How many other states regulate the occupation? How do Ohio's regulations compare to those others states? Is Ohio more restrictive? Less restrictive? Or somewhere in between?)*

We have not done a comparison with other states' regulations.

## Surrounding state comparison (LSC)

Level Two Investigative Agent Certificate						
	Ohio	Indiana	Kentucky	Michigan	Pennsylvania	West Virginia
License required?	Yes ( <i>R.C. 5126.221; O.A.C. 5123-5-07(C)(2)</i> )	No ( <i>Ind. Admin. Code Title 460</i> )	No, no state-level licensure requirements for employees of regional behavioral health, developmental, and intellectual disabilities boards ( <i>Ky. Rev. Stat. Ann. Chapter 210 and 210.770 et seq.; 908 Ky. Admin. Regs. 2:020</i> )	No ( <i>Mich. Admin. Code R. 330.2806</i> )	Yes, same as certified investigator above ( <i>55 Pa. Code 51.19</i> )	No
Education or training	High school diploma or GED  Associate's degree from an accredited institution, or achieved at least junior year status at an accredited college or university, or, in the alternative,	N/A	N/A	N/A	High school diploma or GED  Complete Department of Human Services certification training (must complete the web-based portion of the training within three months of	N/A

**Level Two Investigative Agent Certificate**

	<b>Ohio</b>	<b>Indiana</b>	<b>Kentucky</b>	<b>Michigan</b>	<b>Pennsylvania</b>	<b>West Virginia</b>
	the experience listed below  Must complete a Department-approved postemployment training course  <i>(O.A.C. 5123-5-07(C)(2))</i>				enrolling in the training course)  <i>(55 Pa. Code 51.19)</i>	
Experience	In lieu of the educational requirements listed above, completion of the Ohio peace officer basic training or comparable program, or completed two years of supervised, paid work experience in conducting administrative, civil, or criminal investigations  <i>(O.A.C. 5123-5-07(C)(2))</i>	N/A	N/A	N/A	No <i>(55 Pa. Code 51.19)</i>	N/A

Level Two Investigative Agent Certificate						
	Ohio	Indiana	Kentucky	Michigan	Pennsylvania	West Virginia
Exam	No	N/A	N/A	N/A	Yes (55 Pa. Code 51.19)	N/A
Continuing education	20 hours every two years (O.A.C. 5123-5-07(C)(2))	N/A	N/A	N/A	Attend a one-day certification class every three years  If conducted less than three investigations during a certification period, investigator must actively participate in a quarterly or semiannual review of the quality of investigations by serving as a member of a peer review or risk management committee  (55 Pa. Code 51.19)	N/A

**Level Two Investigative Agent Certificate**

	<b>Ohio</b>	<b>Indiana</b>	<b>Kentucky</b>	<b>Michigan</b>	<b>Pennsylvania</b>	<b>West Virginia</b>
Initial licensure fee	Not specified <i>(O.A.C. 5123-5-07)</i>	N/A	N/A	N/A	Not specified (55 <i>Pa. Code 51.19)</i>	N/A
License duration	Two years <i>(O.A.C. 5123-5-07(C)(2))</i>	N/A	N/A	N/A	Three years (55 <i>Pa. Code 51.19)</i>	N/A
Renewal fee	Not specified <i>(O.A.C. 5123-5-07)</i>	N/A	N/A	N/A	Not specified (55 <i>Pa. Code 51.19)</i>	N/A