



Ohio Revised Code

Section 4772.10

Effective: April 9, 2025

Legislation: Senate Bill 95

(A) Before initiating supervision of one or more certified mental health assistants licensed under this chapter, a physician shall enter into a supervision agreement with each certified mental health assistant who will be supervised. A supervision agreement may apply to one or more certified mental health assistants, but, except as provided in division (B)(5) of this section, may apply to not more than one physician. The supervision agreement shall specify that the physician agrees to supervise the certified mental health assistant and the certified mental health assistant agrees to practice under that physician's supervision.

The agreement shall clearly state that the supervising physician is legally responsible and assumes legal liability for the services provided by the certified mental health assistant. The agreement shall be signed by the physician and the certified mental health assistant.

(B) A supervision agreement shall include terms that specify all of the following:

(1) The responsibilities to be fulfilled by the physician in supervising the certified mental health assistant;

(2) The responsibilities to be fulfilled by the certified mental health assistant when performing services under the physician's supervision;

(3) Any limitations on the responsibilities to be fulfilled by the certified mental health assistant;

(4) The circumstances under which the certified mental health assistant is required to refer a patient to the supervising physician;

(5) If the supervising physician chooses to designate physicians to act as alternate supervising physicians, the names, business addresses, and business telephone numbers of the physicians who have agreed to act in that capacity.



(C) A supervision agreement may be amended to modify the responsibilities of one or more certified mental health assistants or to include one or more additional certified mental health assistants.

(D) The supervising physician who entered into a supervision agreement shall retain a copy of the agreement in the records maintained by the supervising physician. Each certified mental health assistant who entered into the supervision agreement shall retain a copy of the agreement in the records maintained by the certified mental health assistant.

(E)(1) If the board finds, through a review conducted under this section or through any other means, any of the following, the board may take disciplinary action against the individual under section 4731.22 or 4772.20 of the Revised Code, impose a civil penalty, or both:

(a) That a certified mental health assistant has practiced in a manner that departs from, or fails to conform to, the terms of a supervision agreement entered into under this section;

(b) That a physician has supervised a certified mental health assistant in a manner that departs from, or fails to conform to, the terms of a supervision agreement entered into under this section;

(c) That a physician or certified mental health assistant failed to comply with division (A) or (B) of this section.

(2) If the board finds, through a review conducted under this section or through any other means, that a physician or certified mental health assistant failed to comply with division (D) of this section, the board may do either of the following:

(a) Take disciplinary action against the individual under section 4731.22 or 4772.20 of the Revised Code, impose a civil penalty, or both;

(b) Permit the individual to agree in writing to update the records to comply with division (D) of this section and pay a civil penalty.

(3) The board's finding in any disciplinary action taken under division (E) of this section shall be



made pursuant to an adjudication conducted under Chapter 119. of the Revised Code.

(4) A civil penalty imposed under division (E)(1) or (2)(a) of this section or paid under division (E)(2)(b) of this section shall be in an amount specified by the board of not more than five thousand dollars and shall be deposited in accordance with section 4731.24 of the Revised Code.