



Ohio Revised Code

Section 4772.11 Duties of supervising physician.

Effective: April 9, 2025

Legislation: Senate Bill 95 - 135th General Assembly

(A) The supervising physician of a certified mental health assistant exercises supervision, control, and direction of the certified mental health assistant. A certified mental health assistant may practice in any setting within which the supervising physician has supervision, control, and direction of the certified mental health assistant.

In supervising a certified mental health assistant, all of the following apply:

(1)(a) Except as provided in division (A)(1)(b) of this section, the supervising physician shall be continuously available for direct communication with the certified mental health assistant by either of the following means:

(i) Being physically present at the location where the certified mental health assistant is practicing;

(ii) Being readily available to the certified mental health assistant through some means of telecommunication and being in a location that is a distance from the location where the certified mental health assistant is practicing that reasonably allows the physician to assure proper care of patients.

(b) During the first one thousand hours of a certified mental health assistant's practice, including any exercise of prescriptive authority, the supervising physician shall be continuously available for direct communication with the certified mental health assistant only by being physically present at the location where the certified mental health assistant is practicing. This division does not require that the supervising physician be in the same room as the certified mental health assistant.

(2) Prior to a certified mental health assistant providing services to a patient, the supervising physician must have evaluated the patient and diagnosed the patient with a diagnosis or condition found in the most recent edition of the diagnostic and statistical manual of mental disorders published by the American psychiatric association, or a similar publication if designated by the state



medical board.

(3)(a) After the initial diagnosis, the supervising physician shall personally and actively review the certified mental health assistant's professional activities, on not less than a weekly basis.

(b)(i) Except as provided in division (A)(3)(b)(ii) of this section, the supervising physician must reevaluate the patient not less than every two years, and sooner if there is a significant change in the patient's condition or possible change in the patient's diagnosis.

(ii) The supervising physician shall reevaluate a patient annually if the patient has been prescribed by a certified mental health assistant, in accordance with section 4772.13 of the Revised Code, a controlled substance related to a diagnosis or condition found in the most recent edition of the diagnostic and statistical manual of mental disorders published by the American psychiatric association, or a similar publication if designated by the board.

(4) The supervising physician shall comply with the quality assurance standards established by the board in rules adopted pursuant to section 4772.19 of the Revised Code. The supervising physician may perform other quality assurance activities that the supervising physician considers to be appropriate.

(5) The supervising physician shall regularly perform any other reviews of the certified mental health assistant that the supervising physician considers necessary.

(B) A physician may enter into supervision agreements with any number of certified mental health assistants, but the physician may not supervise more than five certified mental health assistants at any one time. A certified mental health assistant may enter into supervision agreements with any number of supervising physicians.

(C) A supervising physician may authorize a certified mental health assistant to perform a service only if the physician is satisfied that the certified mental health assistant is capable of competently performing the service. A supervising physician shall not authorize a certified mental health assistant to perform any service that is beyond the physician's or the certified mental health assistant's normal course of practice and expertise.



(D) Each time a certified mental health assistant writes a medical order, including prescriptions written in the exercise of physician-delegated prescriptive authority, the certified mental health assistant shall sign the form on which the order is written and record on the form the time and date that the order is written.

(E) When performing authorized services, a certified mental health assistant acts as the agent of the certified mental health assistant's supervising physician. The supervising physician is legally responsible and assumes legal liability for the services provided by the certified mental health assistant.

The physician is not responsible or liable for any services provided by the certified mental health assistant after their supervision agreement expires or is terminated.