

Rule Summary and Fiscal Analysis

Part A - General Questions

Rule Number: 5122-29-15
Rule Type: Amendment
Rule Title/Tagline: Peer recovery services.
Agency Name: Department of Mental Health and Addiction Services
Division:
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I. Rule Summary

1. **Is this a five year rule review?** No
 - A. **What is the rule's five year review date?** 7/1/2021
2. **Is this rule the result of recent legislation?** No
3. **What statute is this rule being promulgated under?** 119.03
4. **What statute(s) grant rule writing authority?** 5119.36
5. **What statute(s) does the rule implement or amplify?** 5119.36
6. **What are the reasons for proposing the rule?**

The peer recovery service and peer recovery supporter certification have been in effect since 2016, and operational improvements have been found in the program and are being implemented through rule change.

7. **Summarize the rule's content, and if this is an amended rule, also summarize the rule's changes.**

The supervision requirements are being removed from this rule and moved to the peer recovery supporter certification. Supporters, whether or not they work for certified providers, must be properly supervised and this change will make that a requirement.

Additionally, certified providers must also report to the Department if any peer recovery supporter working for them has a disqualifying event per 5122-29-15.1

8. **Does the rule incorporate material by reference? No**
9. **If the rule incorporates material by reference and the agency claims the material is exempt pursuant to R.C. 121.71 to 121.76, please explain the basis for the exemption and how an individual can find the referenced material.**

Not Applicable

10. **If revising or re-filing the rule, please indicate the changes made in the revised or re-filed version of the rule.**

Updating the RSFA to reflect the reporting requirement in paragraph (H).

II. Fiscal Analysis

11. **As a result of this proposed rule, please estimate the increase / decrease in revenues or expenditures affecting this agency, or the state generally, in the current biennium or future years. If the proposed rule is likely to have a different fiscal effect in future years, please describe the expected difference and operation.**

This will have no impact on revenues or expenditures.

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There is no impact on revenues or expenditures.

12. **What are the estimated costs of compliance for all persons and/or organizations directly affected by the rule?**

The only new cost of compliance would be the reporting needed for disqualifying events.

13. **Does the rule increase local government costs? (If yes, you must complete an RSFA Part B). No**
14. **Does the rule regulate environmental protection? (If yes, you must complete an RSFA Part C). No**

III. Common Sense Initiative (CSI) Questions

15. Was this rule filed with the Common Sense Initiative Office? Yes

16. Does this rule have an adverse impact on business? Yes

A. Does this rule require a license, permit, or any other prior authorization to engage in or operate a line of business? Yes

This rule is part of the certified provider program and is required for providers to be paid for this service.

B. Does this rule impose a criminal penalty, a civil penalty, or another sanction, or create a cause of action, for failure to comply with its terms? No

C. Does this rule require specific expenditures or the report of information as a condition of compliance? Yes

Paragraph (H) requires reporting by certified service providers for any certified peer recovery supporters that they employ who experience a disqualifying event pursuant to paragraph (I) of rule 5122-29-15.1 of the Administrative Code.