

5122-30-09

**Maximum resident and household capacity.**

- (A) The department shall determine the maximum number of residents and the maximum number of household members for which each facility shall be licensed and shall state the maximum number on the license issued to the facility. The maximum number of residents shall not exceed the number of residents as specified on the license.
- (B) The maximum number of residents and household members for which a facility is licensed shall be based on the requirements set forth in rule 5122-30-14 of the Administrative Code.
- (C) Class 2 and 3 facilities shall notify the department's bureau of licensure and certification, in writing, and receive approval, prior to allowing any additional person(s) to reside in the facility for more than forty-eight hours if the facility will exceed the maximum number of household members identified on the license. The department shall respond in writing to requests with in two business days of receiving requests by certified mail, otherwise the facility is deemed to have received approval. Additional persons may reside for no longer than fourteen days or a time set by the department, whichever is shorter in duration.
- (D) No residential facility serving children/adolescents residents shall accept adult residents, nor shall any residential facility serving adult residents accept children/adolescents residents.

Replaces: 5122-33-09

Effective:

Five Year Review (FYR) Dates:

---

Certification

---

Date

Promulgated Under: 119.03  
Statutory Authority: 5119.34  
Rule Amplifies: 5119.34  
Prior Effective Dates: 5/10/79, 5/1/81, 1/1/00