

Rule Summary and Fiscal Analysis

Part A - General Questions

Rule Number: 5122-30-32

Rule Type: New

Rule Title/Tagline: Qualified residential treatment program (QRTP).

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?**
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?** 5119.34
5. **What statute(s) does the rule implement or amplify?** 5119.34
6. **What are the reasons for proposing the rule?**

The three rules in this package are being adopted/amended in response to the federal Family First Prevention Services Act and its requirement to implement standards for Qualified Residential Treatment Program (QRTP) in order to continue receiving Title IV-E funding, and in response to current federal Title IV-E funding requirements under the Social Security Act (42 USC 671) and recent amendments to the ORC for background checks.

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

5122-30-32 implements the QRTP standards for MHAS licensed residential facilities.

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. 121.75, 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.**

Paragraph (A) has been changed to adjust to stakeholder comments regarding providers being designated QRTPs. Paragraph (B)(6) was also modified to clarify aftercare support. Paragraph (C) was modified to fit the new telehealth rule that the Department is adopting.

II. Fiscal Analysis

11. **Please estimate the increase / decrease in the agency's revenues or expenditures in the current biennium due to this rule.**

This will have no impact on revenues or expenditures.

0.0

Not applicable.

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

The QRTP standards should be at least cost neutral, as they do require some expenditures to implement they are implemented in order to receive reimbursement funds.

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

15. If the rule imposes a regulation fee, explain how the fee directly relates to your agency's cost in regulating the individual or business.

Not applicable.

III. Common Sense Initiative (CSI) Questions

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

17. 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

In order to receive IV-E reimbursements, QRTPs must implement these standards.

- 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? No

- D. Is it likely that the rule will directly reduce the revenue or increase the expenses of the lines of business of which it will apply or applies? No

IV. Regulatory Restrictions (This section only applies to agencies indicated in R.C. 121.95 (A))

18. Are you adding a new or removing an existing regulatory restriction as defined in R.C. 121.95? No

- A. How many new regulatory restrictions do you propose adding?

Not Applicable

- B. How many existing regulatory restrictions do you propose removing?

Not Applicable