

TO BE RESCINDED

5122-31-01 **tMental health board/mental health agency procedures for residential state supplement (RSS) placements for persons with mental illness.**

(A) The purpose of this rule is to set forth the duties and responsibilities of mental health boards and mental health agencies to work with passport administrative agencies (PAA) to recommend whether a facility is appropriate for individuals receiving residential state supplement (RSS) payments and to provide ongoing monitoring and discharge planning for such persons.

(B) The provisions of this rule are applicable to each mental health board and to mental health agencies certified by the Ohio department of mental health under Chapter 5122-25 of the Administrative Code to provide mental health services.

(C) For the purposes of this rule, the following definitions shall apply:

(1) "Facility" means an approved community living arrangement as defined by the Ohio department of aging in rule 173-35-02 of the Administrative Code.

(2) "Home county" means county of residence established under division (S) of section 5122.01 of the Revised Code.

(3) "Mental health agency" means a mental health agency, as defined in section 5119.22 of the Revised Code, under contract with a mental health board pursuant to division (A) of section 340.03 of the Revised Code.

(4) "Mental health board" means an alcohol, drug addiction and mental health services board or community mental health board authorized by Chapter 340. of the Revised Code.

(5) "Mental health services" means those services specified in section 340.09 of the Revised Code and certified by the Ohio department of mental health in accordance with Chapter 5122-25 of the Administrative Code.

(6) "Mental health resident program participation agreement" ("MH participation agreement") means the written agreement entered into between an adult care facility and the mental health board with a service district encompassing the location of the adult care facility and under which the facility is authorized to admit residents who are receiving or are eligible for publicly funded mental health services, approved as to form and scope by the director.

- (7) "Passport administrative agencies (PAA)" means entities under contract with the Ohio department of aging to provide administrative services regarding the passport program created under section 173.40 of the Revised Code.
 - (8) "Reviewing agency" means the mental health agency with which the mental health board contracts to conduct a review of the appropriateness of the living environment for an individual seeking to reside in a facility as defined in this rule.
 - (9) "Treating agency" means the mental health agency providing mental health services to an individual who is a recipient of or applicant for RSS and the entity contacted by the reviewing agency when reviewing appropriateness of living environment for a recommendation to the PAA.
- (D) Mental health agencies and boards have the following duties and responsibilities to work with the passport administrative agencies (PAA), to recommend whether the facility is appropriate for an applicant or a current recipient of residential state supplement (RSS) payments and to provide ongoing monitoring and discharge planning for such persons:
- (1) Mental health boards shall contract with a reviewing agency(ies) specifically to conduct reviews of the RSS assessment/referral evaluations for the appropriateness of the living environment for individuals referred to facilities located within the boards' service area.
 - (2) If the RSS assessment information indicates a person is receiving mental health services or if the person is receiving SSI/SSDI as a result of mental impairment, then the RSS assessment information, the assessment/referral evaluation form and all available client and facility information shall be forwarded to the reviewing agency serving the county in which the facility is located.
 - (3) The reviewing agency shall consider the RSS assessment and all additional information submitted by the PAA in combination with the following criteria to determine whether the facility is appropriate for the individual:
 - (a) The individual's preferences and personal care needs as identified in the RSS assessment;
 - (b) The individual's mental health needs as identified by treatment information which may be available in the publicly funded mental health system; and

- (c) If the proposed placement is an adult care facility as defined in section 3722.01 of the Revised Code, whether there is a current valid MH participation agreement between the adult care facility and the mental health board with a service district encompassing the location of the adult care facility.
- (4) The reviewing agency shall notify the mental health board with a service district in which the facility is located and request that the mental health board check to determine whether the person is enrolled in the publicly funded mental health system. If the person is enrolled, the mental health board shall provide the person's home county of residence to the reviewing agency.
- (5) The reviewing agency shall notify the home board of the proposed placement to determine whether the person is receiving services from a treating agency.
- (6) If the reviewing agency determines that a person is receiving services from a treating agency, it shall contact the treating agency to discuss the appropriateness of the proposed facility and the treating agency's recommendation shall be documented.
- (7) The reviewing agency, in consultation with the treating agency, shall consider the criteria described in paragraph (D)(3) of this rule. The reviewing agency shall submit a completed assessment/referral evaluation form to the PAA within ten calendar days.

Effective: 01/01/2018

Five Year Review (FYR) Dates: 01/20/2017

CERTIFIED ELECTRONICALLY

Certification

04/05/2017

Date

Promulgated Under: 119.03
Statutory Authority: 5119.10, 5119.22
Rule Amplifies: 5119.10, 5119.22
Prior Effective Dates: 7/1/2000, 2/26/2010