5122-33-12          **Facility management responsibilities.**

(A) The owner of an ACF may serve as the manager or shall arrange for an individual to serve as the manager. The owner, manager, or both shall be responsible for administering and managing all aspects of the facility including, but not limited to the following functions:

(1) Arranging for all necessary inspections, approvals, and licenses and paying all associated fees and costs;

(2) Securing appropriate staffing for the facility;

(3) Supervising the staff to ensure acceptable performance of assigned job duties and continued compliance with Chapter 5119. of the Revised Code and this chapter;

(4) Establishing and maintaining a stable financial position for the operation of the facility and exercising sound fiscal management practices;

(5) Protecting the rights of residents;

(6) Complying with applicable federal, state, and local laws governing operation of the facility, such as laws concerning zoning, reporting of income, operation of a business, and employment practices;

(7) Ensuring continued compliance with Chapter 5119. of the Revised Code, and ~~Chapter 3701-13~~ <u>rule 5122-33-28</u> and this chapter of the Administrative Code;

(8) Developing and administering the policies of the facility; and

(9) Preparing, maintaining, and submitting reports and records as required by the director pursuant to this chapter.

(10) Ensuring that staff receive training in and are capable of the following;

(a) Using designated crisis notification systems; and

(b) Fulfilling designated staff role(s) in resident-specific crisis plans.

(11) Ensuring that all training required for managers and staff in accordance with rules 5122-33-13 and 5122-33-14 of the Administrative Code is appropriate

to the needs of residents, and is performed and documented in a timely manner; and

(12) Ensuring that information is available to facility and staff from the referring or placing agency regarding crisis handling of mentally ill patients in accordance with paragraph (G) of rule 5122-33-18 of the Administrative Code.

(B) If an owner or manager admits or retains an individual who the owner or manager knows has been assessed with mental illness, and the owner or manager has no evidence that the individual has been referred by or is receiving services from a mental health agency, the owner or manager shall offer to assist the individual in obtaining appropriate mental health services and shall document this requirement.

(C) If an owner or manager admits or retains an individual who the owner or manager knows has been assessed with mental illness; the owner or manager has no evidence that the individual has been referred by a mental health agency; and the individual chooses to request or continue to receive mental health services provided through mental health agencies, the owner or manager shall:

(1) Contact the ADAMHS board in the area the ACF is located to inform the board of the resident's request:

(2) Contact the resident's home board or appropriate mental health agency or agencies in accordance with instructions received from the mental health board contacted under paragraph (C)(1) of this rule; and

(3) Request from and enter into a mental health plan for care with the lead mental health agency, in accordance with rule 5122-33-18 of the Administrative Code.

(D) If an owner or manager admits an individual who the owner or manager knows has been assessed with mental illness and has been receiving mental health services through a mental health agency which will no longer provide such services to the individual, the owner or manager shall act in accordance with paragraph (B) of this rule and shall request an assessment of the individual in accordance with rule 5122-33-18 of the Administrative Code.

Effective:

R.C. 119.032 review dates:                          02/17/2017

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Certification

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Date

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