

5122-40-01

Definitions and applicability.

(A) In addition to the definitions listed in rule 5122-24-01 of the Administrative code, the following definitions apply to Chapter 5122-40 of the Administrative Code.

- (1) "Administration" means the direct application of methadone medication to a client.
- (2) "Department" mean the Ohio department of mental health and addiction services.
- (3) "Detoxification" means the administering of methadone medication in decreasing doses to an individual to alleviate adverse physiological or psychological effects of withdrawal from the continuous use of a narcotic drug and as a method of bringing the individual to an opiate drug-free state.
- (4) "Dispense", means the final association of Methadone medication for take home doses with a particular patient pursuant to the prescription, drug order or other lawful order of the prescriber and the professional judgment of and responsibility for: interpreting, preparing, compounding, labeling and packaging of methadone medication.
- (5) "Good standing" means that the program, program owner, program sponsor, medical director, program administrator, or principal shall not have been denied a license, certificate, or similar approval to operate a methadone program by an appropriate issuing body of any state or jurisdiction; or been the subject of the following by any appropriate issuing body of any state or jurisdiction:
 - (a) An action that resulted in the suspension, proposed revocation, or revocation of the program or person's license or registration; or
 - (b) A disciplinary action that was based, in whole or in part, on the program or person's inappropriate prescribing, dispensing, diverting, administering, storing, personally furnishing, compounding, supplying or selling a controlled substance or other dangerous drug.
- (6) "Interim maintenance" means maintenance provided in conjunction with appropriate medical services while a patient is awaiting transfer to a program that provides comprehensive maintenance.
- (7) "Long-term detoxification" means the administering of Methadone medication for detoxification of a patient for a period of more than thirty days but not in excess of one hundred eighty days.
- (8) "Medical director" is a physician, licensed to practice medicine in Ohio by the state of Ohio medical board, who assumes the responsibility for the administration of all medical services performed by the program, either by

performing them directly or by delegating specific responsibility to authorized program physicians and healthcare professionals functioning under the medical director's direct supervision.

- (9) "Medication unit" means a unit established by a methadone medication maintenance program solely to dispense methadone medication for observed ingestion.
- (10) "Methadone maintenance" means the administering or dispensing of methadone medication at stable dosage levels for a period in excess of twenty-one days in the treatment of a patient for opioid addiction.
- (11) "Methadone treatment program" or "program" means a community addiction services provider engaged in the treatment of individuals with opioid dependence through on-site administration or dispensing of an opioid treatment medication in the form of methadone medication.
- (12) "Partial opioid agonist" means buprenorphine products or combination products approved by the federal food and drug administration for maintenance or detoxification of opioid dependence, or any other partial agonists federally approved, controlled substances used for the purpose of narcotic replacement treatment. These medications are used as an alternative to opioid agonists in the treatment of opioid addiction. At certain dosages, a partial agonist can both activate and block the effects of opioid medications or receptors, thereby assisting in control of opioid addiction. Partial agonists bind to the receptors and activate them, but not to the same degree as full agonists.
- (13) "Physician extender" means a medical staff person other than a physician, functioning within his or her scope of practice to provide medical services to patients admitted to opioid treatment programs.
- (14) "Program administrator" is a person who is responsible for the day-to-day operation of the methadone treatment program in a manner consistent with the laws and regulations of the United States department of health and human services, United States drug enforcement administration, and the laws and rules of the state of Ohio.
- (15) "Program sponsor" is a person or representative of the program, who is responsible for the operation of the methadone medication program and who assumes responsibility for all of its employees, including any practitioners, agents or other persons providing medical, rehabilitative or counseling services at the program.
- (16) "SAMHSA" means the federal substance abuse and mental health services administration.

- (17) "Short-term detoxification" means the administering of a methadone medication for detoxification of a patient for a period not to exceed thirty days.
- (18) "State authority" or "state opioid treatment authority" means the agency or individual designated by the Ohio department of mental health and addiction services to exercise the responsibility and authority of the state for governing the treatment of opiate addiction with medication assisted treatment. The state authority shall act as the state's coordinator for the development and monitoring of opioid treatment programs and shall serve as a liaison with the appropriate federal, state and local agencies.
- (19) "State oversight agency" means the agency or office of state government identified by the governor to provide regulatory oversight of opioid treatment programs on behalf of the state of Ohio. The designated state oversight agency is responsible for licensing, monitoring and investigating complaints or grievances regarding opioid treatment programs. The Ohio department of mental health and addiction services is the agency designated by the governor to provide regulatory oversight on behalf of the state of Ohio.
- (B) This Chapter is applicable to any community addiction services provider subject to methadone medication licensure in accordance with section 5119.391 of the Revised Code, which includes any program that employs methadone medication treatment; or prescribes, dispenses, or administers methadone for the treatment of opioid addiction.
- (C) Programs licensed as methadone medication program at the time of the effective date of this rule shall remain licensed until the expiration of their current licensure. If a program wants to continue to operate as a licensed methadone medication program, then it is required to apply to the department for licensure in accordance with this Chapter.
- (D) A methadone program directly operated by the department of veterans affairs, the Indian health service or any other department or agency of the United States is not required to obtain a state license.

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Certification

Date

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