

Rule Summary and Fiscal Analysis (Part A)**Department of Mental Health and Addiction Services**

Agency Name

Division

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Rule Number

NEW

TYPE of rule filing

Rule Title/Tag Line

Waiting list for alcohol and drug addiction services.**RULE SUMMARY**1. Is the rule being filed for five year review (FYR)? **No**2. Are you proposing this rule as a result of recent legislation? **Yes**Bill Number: **SB319**General Assembly: **131**Sponsor: **Eklund**3. Statute prescribing the procedure in accordance with the agency is required to adopt the rule: **119.03**4. Statute(s) authorizing agency to adopt the rule: **5119.363**5. Statute(s) the rule, as filed, amplifies or implements: **5119.362, 5119.364, 340.20**

6. State the reason(s) for proposing (i.e., why are you filing,) this rule:

The Department of Mental Health and Addiction Services (Department) is required by ORC section 5119.362 to implement a waiting list procedure for community addiction services providers, and adopt any rules necessary to put the waiting list and its related reporting requirements into operation. The Department has worked with stakeholders to develop a waiting list implementation that will meet the statutory requirements that become effective on July 1, 2017.

7. If the rule is an AMENDMENT, then summarize the changes and the content of the proposed rule; If the rule type is RESCISSION, NEW or NO CHANGE, then summarize the content of the rule:

The proposed rule requires that providers create and maintain a waiting list of individuals who are seeking opioid and co-occurring drug addiction services and recovery supports. The waiting list shall contain non-identifying but individualized data such as the last four digits of the individual's social security number, the first two letters of their last name, county of residence, and so forth. The waiting list process shall also collect, as applicable to the individual, the number of days the individual waits before receiving services, being assessed for services, and the number of days between an assessment and receiving services.

The rule sets forth the contact procedures for when a service opening is available, and how long to wait if an individual does not respond.

Providers report waiting list data to the Department, which will post aggregate data to its website and provide to boards of alcohol, drug addiction, and mental health services information about waiting times within each board's service area.

8. If the rule incorporates a text or other material by reference and the agency claims the incorporation by reference is exempt from compliance with sections 121.71 to 121.74 of the Revised Code because the text or other material is **generally available** to persons who reasonably can be expected to be affected by the rule, provide an explanation of how the text or other material is generally available to those persons:

This response left blank because filer specified online that the rule does not incorporate a text or other material by reference.

9. If the rule incorporates a text or other material by reference, and it was **infeasible** for the agency to file the text or other material electronically, provide an explanation of why filing the text or other material electronically was infeasible:

This response left blank because filer specified online that the rule does not incorporate a text or other material by reference.

10. If the rule is being **rescinded** and incorporates a text or other material by reference, and it was **infeasible** for the agency to file the text or other material, provide an explanation of why filing the text or other material was infeasible:

Not Applicable.

11. If **revising** or **refiling** this rule, identify changes made from the previously filed version of this rule; if none, please state so. If applicable, indicate each specific paragraph of the rule that has been modified:

Revised filing has an updated paragraph (G) that improves the waiting time after contacting individuals for open treatment slots.

12. Five Year Review (FYR) Date:

(If the rule is not exempt and you answered NO to question No. 1, provide the scheduled review date. If you answered YES to No. 1, the review date for this rule is the filing date.)

NOTE: If the rule is not exempt at the time of final filing, two dates are required: the current review date plus a date not to exceed 5 years from the effective date for Amended rules or a date not to exceed 5 years from the review date for No Change rules.

FISCAL ANALYSIS

13. Estimate the total amount by which *this proposed rule* would **increase / decrease** either **revenues / expenditures** for the agency during the current biennium (in dollars): Explain the net impact of the proposed changes to the budget of your agency/department.

This will have no impact on revenues or expenditures.

0.0

There is no impact on revenues or expenditures.

14. Identify the appropriation (by line item etc.) that authorizes each expenditure necessitated by the proposed rule:

Not applicable.

15. Provide a summary of the estimated cost of compliance with the rule to all directly affected persons. When appropriate, please include the source for your information/estimated costs, e.g. industry, CFR, internal/agency:

The waiting list will be required of any community addiction services provider and will impact them through employee time to record data. The time per individual will vary per procedures implemented at each provider; however it is a consistent amount of data to be entered. The basic data for each individual will require a few

minutes of an employee's time per individual seeking services, with follow-up data collection for call backs taking similar amounts of time. Providers may be able to automate some aspects of this data collection through integration with existing systems. Nevertheless, the required data collection and reporting should be around 1-5 hours per month.

16. Does this rule have a fiscal effect on school districts, counties, townships, or municipal corporations? **No**

17. Does this rule deal with environmental protection or contain a component dealing with environmental protection as defined in R. C. 121.39? **No**

S.B. 2 (129th General Assembly) Questions

18. Has this rule been filed with the Common Sense Initiative Office pursuant to R.C. 121.82? **Yes**

19. Specific to this rule, answer the following:

A.) Does this rule require a license, permit, or any other prior authorization to engage in or operate a line of business? **No**

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? **Yes**

This rule require the reporting of waiting list data per statute.