

Rule Summary and Fiscal Analysis

Part A - General Questions

Rule Number: 5122:2-1-02

Rule Type: Amendment

Rule Title/Tagline: Board client rights and grievance procedure.

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? Yes
 - A. What is the rule's five year review date? 10/25/2017
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? 5119.22
5. What statute(s) does the rule implement or amplify? 5119.36
6. What are the reasons for proposing the rule?

Per ORC 5119.36, clients of certified provider's of mental health and addiction services have the right to a client rights officer provided by either the provider or the board of alcohol, drug addiction, and mental health services. This rule assures the availability of an officer and that each board will have procedure for handling client grievances.

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

The rule contains the procedure for handling client grievances at the board level, and is being updated to reflect the changes in the Department and boards since the rule was last updated.

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. 121.71 to 121.76, 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.

Not Applicable

II. Fiscal Analysis

11. As a result of this proposed rule, please estimate the increase / decrease in revenues or expenditures affecting this agency, or the state generally, in the current biennium or future years. If the proposed rule is likely to have a different fiscal effect in future years, please describe the expected difference and operation.

This will have no impact on revenues or expenditures.

0.0

No impact on revenues

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

There is no new cost of compliance for this rule. Boards will need to maintain a client rights officer in their organization, and depending on the size of the board it can be either a position with shared duties or a full time position.

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

III. Common Sense Initiative (CSI) Questions

15. Was this rule filed with the Common Sense Initiative Office? No

16. Does this rule have an adverse impact on business? No

- 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? No**