

NOTICE OF PUBLIC HEARING
Ohio Department of Mental Health

Pursuant to section 119.03 of the Ohio Revised Code, the Ohio Department of Mental Health (ODMH) hereby gives notice of its intent to amend the Ohio Administrative Code (OAC) rules as identified below and of a public hearing thereon.

OAC 5122:2-1-06 Mediation procedures for community mental health boards and contract agencies of those boards (rescind)

OAC 5122:2-1-06 Board and agency dispute resolution (new)

The Department is proposing rescission of the current rule and filing a new rule d/t 50% rule revisions requirement.

This rule adds time frames for negotiations; requirement for written statement defining each party's position; removes antiquated ODMH positions listed in the rule; and spells out ODMH's role in the dispute resolution process as more of a resource, and less as an active participant in the mediation. It sets out a detailed time frame for the mediator and the mediation process; provides for non-binding arbitration as an option, and specifies that all discussions are pursuant to State and Federal Evidence Rule 308 (inadmissible in any legal proceeding), and are to be held confidential by the parties.

A public hearing on the proposed rules will be held on **Friday, May 21, 2010**, beginning at **10:30 am**, and continuing until all persons in attendance have had an opportunity to testify. The hearing will be held in **Room 806 of the Rhodes State Office Tower located at 30 East Broad Street, Columbus, Ohio 43215**. At this hearing, ODMH will accept verbal and/or written testimony on the proposed rules under consideration.

Persons unable to attend the public hearing may submit written comments on the proposed rules. Any written comments received or postmarked on or before the public hearing date will be treated as testimony and made available for public review. Submittal of written comments may be made to Janel M. Pequignot, Chief, Standards Development and Administrative Rules, by e-mail to Janel.Pequignot@mh.ohio.gov; by fax to 614-752-9453; or by mail to 30 East Broad Street, 8th Floor, Columbus, Ohio 43215-3430.

Copies of these rules are available for review at the Register of Ohio website: www.registerofohio.state.oh.us or the ODMH website <http://mentalhealth.ohio.gov/what-we-do/protect-and-monitor/licensure-and-certification/rules/index.shtml> (Follow link to "Pending Rules"). A copy of the rules is also available at the Ohio Department of Mental Health, 8th Floor, Rhodes State Office Tower, 30 East Broad Street, Columbus, Ohio 43215. Ask for Janel M. Pequignot.