



Department of
Mental Health

NOTICE OF PUBLIC HEARING

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, rescind and/or adopt the Ohio Administrative Code (OAC) rules as identified below and to conduct a public hearing thereon.

Licensure of Inpatient Psychiatric Service Providers

5122-14-01

Uniform Cost Reporting (Amend)

The rule lists definitions utilized in Chapter 5122-14 of the Administrative Code.

ODMH is revising the definition for "expressive therapist" due to the merger of two associations referenced in the rule.

Certification Standards for Community Mental Health Agencies

5122-26-19

Uniform Cost Reporting (Amend)

This rule describes the standardized method for all certified community mental health agencies receiving funding from a community mental health Board to report agency costs.

The rule is being changed to clarify reporting and documenting of unallowable costs and appropriate usage of allocation methods in reporting of non-personnel costs; to incorporate documentation of staff educational levels; and to make other minor technical corrections.

5122-26-19.1

Actual Uniform Cost Report (AUCR) Agreed Upon Procedures and Report Submission Requirements (Amend)

This rule describes the requirement for an ODMH certified community mental health (CMH) agency receiving funding from a community mental health board or from ODMH to submit an actual uniform cost report (AUCR) and an agreed upon procedures review report.

There are minor, technical language changes and clarifying language in both the rule and the appendix. In addition, there is clarifying language in the rule specifying the responsibilities of a community mental health agency when there are no recommendations in the agreed upon procedures review report.

Certification Standards for Community Mental Health Agencies

5122-29-29

Assertive Community Treatment (ACT) Service (Amend)

This rule lists the standards for an ODMH certified community mental agency providing Assertive Community Treatment services.

ODMH is proposing to remove the requirement for an agency to submit service description & policies and procedures with a certification application.

Fiscal Administration

5122:1-1-01

Rules for Payment of Court Costs (Rescind)

This rule is being rescinded and replaced with a new rule due to amending over 50% of the existing rule.

5122:1-1-01

Rules for Payment of Court Costs (New)

The rule is being filed as a new rule due to amending over 50 % of the current rule. This rule describes the process to allocate payment to Ohio probate courts of costs, fees and expenses of proceedings held under Chapter 5122. of the Revised Code.

The rule is being amended to align with the language in section 5122.43 of the Ohio Revised Code which provides the statutory authority for this rule.

Operations Management

5122:2-1-03

County Withdrawal from a Joint-County Community Mental Health Board (Amend)

The rule establishes the criteria and procedures for the Department's authorization of the withdrawal by one or more Board(s) of County Commissioners from participation in a joint-county community mental health board.

The rule is being amended to add “or replaced” to paragraph (C)(1)(g) to mirror the language in the Ohio Revised Code; delete (C)(2) as the rule reference to OAC 5122:2-1-02 is to a rule that was rescinded prior to the enactment of the current rule; correct spelling.

5122:2-1-05

Community Mental Health Board Operation of MH Services or Facilities (Amend)

The rule describes the requirements and procedures for the Department's authorization of a community mental health board to operate a mental health service or facility.

ODMH is proposing to amend the rule to align the rule with division (A)(8)(b) of section 340.03 of the Revised Code.

A public hearing on the proposed rules will be held on **Wednesday, February 1, 2012**, beginning at **10:00 am**, 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, 8th FL**. At this hearing, ODMH will accept verbal and/or written testimony on the proposed rules under consideration.

Persons may also submit written testimony via mail/e-mail. Any written comments received or postmarked on or before the public hearing date will be treated as testimony. 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 request for a copy of the proposed rules may also be submitted by mail to Janel M. Pequignot, Chief, Standards Development and Administrative Rules, 30 East Broad Street, 8th Floor, Columbus, Ohio 43215-3430 or by e-mail to Janel.Pequignot@mh.ohio.gov.