



PUBLIC NOTICE

Pursuant to section 119.03 of the Ohio Revised Code, the Ohio Department of Mental Health and Addiction Services (OhioMHAS) will hold a public hearing for the purpose of accepting testimony on the proposed changes to the rules governing opioid treatment programs (OTPs) in O.A.C. chapter 5122-40.

Rule	Summary of Major Changes
5122-40-01	This is the definitions rule for the chapter and updates are being made to incorporate definitions of new terms used in the chapter.
5122-40-05	This is the personnel rule. It is being updated to align the requirements for medical directors, program administrators, and mid-level practitioners with federal requirements. This change will allow for expansion of services and will not compromise patient safety. This section also defines the duties of the program director.
5122-40-06	This is the rule governing medication-assisted treatment administration. It is being updated to make take-home supply and emergency dosing requirements consistent with federal regulation. These changes will allow for more flexible medication administration with patients.
5122-40-07	This is the rule governing program policies and patient records. It is being updated to reflect the change in withdrawal management terminology and updated admission criteria. Counselor to patient ratio language is also being clarified.
5122-40-08	This is the rule governing the requirements OTPs have with respect to the state's drug database described in R.C. 4729.75 and the central registry system. The rule change clarifies that OTPs will provide direct contact information for central registry purposes rather a call center.
5122-40-09	This is the rule governing non-medication services. It is being updated to change language regarding counselors. The requirements for counseling

Rule	Summary of Major Changes
	sessions are being changed to match best practices.
5122-40-10	This is the rule governing diversion. It is being updated to correct statutory references.
5122-40-11	This is the rule governing toxicology screening. It is being updated to align the Administrative Code with federal toxicology requirements and remove duplicative language.
5122-40-15	This is the rule governing medication units. It is being updated to remove geographic restrictions on mobile and non-mobile medication units.

All other rules in the chapter have been filed as “no change” rules.

The public hearing will be held at 2 pm on Wednesday, December 4, 2024, in Room 3602 of the Rhodes State Office Tower located at 30 East Broad Street, Columbus, Ohio, 36th Floor. At this hearing, OhioMHAS will accept verbal and written testimony on the rule under consideration.

The hearing will be conducted in accordance with Chapter 119 of the Ohio Revised Code. Any person affected by the rules may appear and be heard in person, by his or her attorney, or both; may present his or her position, arguments, or contentions, orally or in writing; offer and examine witnesses; and present evidence tending to show that the rules, if adopted or effectuated, will be unreasonable or unlawful.

To obtain a copy of the rules, please visit the Register of Ohio: www.registerofohio.state.oh.us.

Persons may also submit written testimony in lieu of appearing at the public hearing. Written testimony sent by mail must be postmarked no later than Wednesday, December 4, 2024. Written testimony transmitted by email must be received no later than 5 pm on that same day. Written testimony may be mailed to: Ohio Department of Mental Health and Addiction Services, Division of Legal Services, Attention: Lisa Musielewicz, 30 East Broad Street, 36th Floor, Columbus, Ohio 43215-3430; or emailed to MH-SOT-rules@mha.ohio.gov.



To join the meeting by Microsoft Teams on December 4, click this link: [**Join the meeting now**](#)

Meeting ID: 228 882 896 633

Passcode: ZaGiq4

Or, you can dial in by telephone:

[+1 614-721-2972](tel:+16147212972), [232147347#](tel:+1232147347) United States, Columbus

Phone conference ID: 232 147 347#

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