Notice of Public Hearing

Pursuant to section 119.03 of the Ohio Revised Code, the Ohio Department of Behavioral Health will hold a public hearing for the purpose of accepting testimony on the proposed rules pertaining to recovery housing certification in Ohio Administrative Code (O.A.C.) Chapter 5122-31.

The following table summarizes the content of these rules:

Rule Number	Tagline	Type of Filing	Summary of Content
5122-31-01	Applicability and definitions	New	This rule defines key terms used in the chapter.
5122-31-02	Application of intent to operate	New	This rule requires each person or government entity that will operate a recovery housing residence to file a recovery housing residence registration form with DBH. This is required by R.C. 5119.391.
5122-31-03	Certification application and procedures	New	This rule sets forth the procedures for a recovery housing residence to file a notice of intent to operate a recovery housing residence with DBH, apply for initial and renewal certification, and correct deficiencies and findings of non-compliance in certification applications.
5122-31-04	Issuance and conditions on certifications; denial, revocation, and termination of certification	New	This rule outlines the conditions and procedures for obtaining, maintaining, and potentially losing certification for recovery housing residences in Ohio.
5122-31-05	Uncertified recovery housing residences	New	This rule addresses uncertified recovery housing residences and authorizes DBH to investigate any residence or structure that is believed to be operating illegally without certification.
5122-31-06	Waivers and variances	New	This rule authorizes DBH to issue a waiver or variance from a certification standard to a recovery housing residence operator who provides a clear and valid statement of need.
5122-31-07	Maximum resident and household capacity	New	This rule discusses the maximum number of residents and household members permitted to occupy a recovery housing residence.
5122-31-08	Fines	New	This rule specifies that any person who violates prohibitions in statute or rule concerning recovery housing operations is subject to certain fines.

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5122-31-09	Inspections	New	This rule specifies that a recovery housing residence may be subject to certain building-related inspections depending on applicable law.
5122-31-10	Safety	New	This rule requires a recovery housing residence to have certain safety features, including smoke detectors and carbon monoxide detectors.
5122-31-11	Nutrition and food safety	New	This rule outlines a recovery housing residence's obligations concerning kitchen space and equipment and, if the residence supplies food to its residents, obligations concerning food storage and preparation.
5122-31-12	Sleeping and living space	New	This rule specifies minimum requirements concerning space, furnishings, and keys for each recovery housing residence bedroom.
5122-31-13	Housekeeping and property maintenance	New	This rule establishes basic health, hygiene, safety, and maintenance requirements for recovery housing residences for purposes of ensuring residences provide clean living conditions, adequate supplies, proper temperature control, and prompt repairs.
5122-31-14	Incident notification and risk management	New	This rule discusses incident reporting by recovery housing residences to DBH, incident analysis for risk reduction, and corrective action to protect residents, staff, and visitors.
5122-31-15	Requirements for persons with disabling conditions	New	This rule requires recovery housing residences to make reasonable accommodations for residents with physical disabilities.
5122-31-16	Administration and management	New	This rule requires recovery housing residences to maintain proper administrative and operational practices, including securing permits, supervising staff (if applicable), maintaining financial stability, and complying with all laws and certification requirements.
5122-31-17	Qualifications of operator and staff	New	This rule sets minimum qualifications and training requirements for recovery housing residence operators and staff.

Rule Number	Tagline	Type of Filing	Summary of Content
5122-31-18	Staffing requirements	New	This rule sets staffing and volunteer requirements for recovery housing residences, ensuring adequate staff availability, and proper supervision.
5122-31-19	Resident rights and grievance procedure	New	This rule requires recovery housing residences to protect and uphold a broad set of resident rights and to maintain a clear, accessible grievance process.
5122-31-20	Facility records	New	This rule requires recovery housing residences to maintain thorough, confidential records for all residents and staff depending on the type of recovery housing residence.
5122-31-21	Resident agreement	New	This rule requires every resident to sign a written agreement before moving in and ensures the operator reviews the agreement with them.
5122-31-23	Recovery supports	New	This rule requires recovery housing residences to encourage residents to participate in recovery supports.
5122-31-24	Background assessment	New	This rule requires and provides guidelines for recovery housing residences to conduct background assessments on all owners, operators, staff, volunteers, students, and applicants.

The public hearing will be held on October 20, 2026, in the Lobby Hearing Room located on the ground floor of the Rhodes State Office Tower, 30 East Broad Street, Columbus, Ohio.

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.

At this hearing, DBH will accept written and verbal testimony on the rules under consideration. If you plan to testify in person, we request that you send an email to recoveryhousingrules@dbh.ohio.gov at least five days prior to the hearing and indicate in the subject matter line, “Attendance at Recovery Housing Rules Hearing,” so we can ensure there is an adequate number of chairs in the room. We request that if you do plan to give verbal testimony you also have a written copy of your testimony for our staff. Please also plan to arrive at least 20 minutes before the hearing to ensure adequate time to go through security.

All the rules are accessible from the Register of Ohio: https://www.registerofohio.state.oh.us/. The rules will also be posted shortly to DBH’s Pending Rules web site: https://dbh.ohio.gov/rules-and-regulations/rules/pending-rules/pending-rules.

Persons may also submit written testimony in lieu of appearing at the public hearing. Written testimony transmitted by email must be received no later than 5:00 pm on the day of the hearing. Emailed testimony can be sent to: recoveryhousingrules@dbh.ohio.gov. In the subject matter line, please specify "Comments on Recovery Housing Rules." Written testimony transmitted by regular mail may be mailed to: Ohio Department of Behavioral Health, Attn: Lewis George, 30 East Broad Street, 36th Floor, Columbus, Ohio 43215.