

Rule Summary and Fiscal Analysis (Part A)**Department of Mental Health**

Agency Name

Division

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5122-14-12

Rule Number

AMENDMENT

TYPE of rule filing

Rule Title/Tag Line

Program, specialty services and aftercare requirements.**RULE SUMMARY**

1. Is the rule being filed consistent with the requirements of the RC 119.032 review? **Yes**

2. Are you proposing this rule as a result of recent legislation? **No**

3. Statute prescribing the procedure in accordance with the agency is required to adopt the rule: **119.03**

4. Statute(s) authorizing agency to adopt the rule: **5119.20**

5. Statute(s) the rule, as filed, amplifies or implements: **5119.20**

6. State the reason(s) for proposing (i.e., why are you filing,) this rule:

The Ohio Department of Mental Health (ODMH) has reviewed this rule in accordance with section 119.032 ORC and is proposing amendments as a result of the review.

7. If the rule is an AMENDMENT, then summarize the changes and the content of the proposed rule; If the rule type is RESCISSION, NEW or NO CHANGE, then summarize the content of the rule:

This rule is amended to update term usage: developmental disability for mental retardation; post discharge services for aftercare; co-occurring for dual diagnosis;

mental illness for mental disorder; and community psychiatric supportive treatment for case management. Language is also revised for clarity.

The rule is updated to note the required services which must be either available as needed or provided, and the amount of availability of specified services. It removes the requirement that a social worker providing psycho-social services hold a master's degree and accreditation from a social work accrediting body. The language describing that the hospital shall make reasonable efforts to arrange a post discharge appointment is amended to specify reasonable efforts to make that appointment within two weeks (if needed). This will now align with community mental health providers requirements to provide such appointments within two weeks (if needed) as specified in OAC 5122-26-17 (C)(3).

8. If the rule incorporates a text or other material by reference and the agency claims the incorporation by reference is exempt from compliance with sections 121.71 to 121.74 of the Revised Code because the text or other material is **generally available** to persons who reasonably can be expected to be affected by the rule, provide an explanation of how the text or other material is generally available to those persons:

This rule references the ORC which is generally available to persons via the Internet.

9. If the rule incorporates a text or other material by reference, and it was **infeasible** for the agency to file the text or other material electronically, provide an explanation of why filing the text or other material electronically was infeasible:

Not applicable

10. If the rule is being **rescinded** and incorporates a text or other material by reference, and it was **infeasible** for the agency to file the text or other material, provide an explanation of why filing the text or other material was infeasible:

Not Applicable.

11. If **revising** or **refiling** this rule, identify changes made from the previously filed version of this rule; if none, please state so:

Not Applicable.

12. 119.032 Rule Review Date: **3/21/2011**

(If the rule is not exempt and you answered NO to question No. 1, provide the scheduled review date. If you answered YES to No. 1, the review date for this rule is the filing date.)

NOTE: If the rule is not exempt at the time of final filing, two dates are required: the current review date plus a date not to exceed 5 years from the effective date for Amended rules or a date not to exceed 5 years from the review date for No Change rules.

FISCAL ANALYSIS

13. Estimate the total amount by which *this proposed rule* would **increase / decrease** either **revenues / expenditures** for the agency during the current biennium (in dollars): Explain the net impact of the proposed changes to the budget of your agency/department.

This will have no impact on revenues or expenditures.

0.00

This will not increase or decrease revenues.

14. Identify the appropriation (by line item etc.) that authorizes each expenditure necessitated by the proposed rule:

Not applicable.

15. Provide a summary of the estimated cost of compliance with the rule to all directly affected persons. When appropriate, please include the source for your information/estimated costs, e.g. industry, CFR, internal/agency:

ODMH estimates that there is no increased cost of compliance to any directly-affected entity.

16. Does this rule have a fiscal effect on school districts, counties, townships, or municipal corporations? **No**

17. Does this rule deal with environmental protection or contain a component dealing with environmental protection as defined in R. C. 121.39? **No**