

Rule Summary and Fiscal Analysis

Part A - General Questions

Rule Number: 5122-29-28

Rule Type: Amendment

Rule Title/Tagline: Intensive home based treatment (IHBT) service.

Agency Name: Department of Mental Health and Addiction Services

Division:

Address: 30 East Broad Street Columbus OH 43215

Contact: Emily Henry **Phone:** 614-752-8365

Email: Emily.Henry@mha.ohio.gov

I. Rule Summary

1. **Is this a five year rule review?** Yes
 - A. **What is the rule's five year review date?** 11/30/2021
2. **Is this rule the result of recent legislation?** No
3. **What statute is this rule being promulgated under?** 119.03
4. **What statute(s) grant rule writing authority?** 5119.36
5. **What statute(s) does the rule implement or amplify?** 5119.36
6. **What are the reasons for proposing the rule?**

The rule is being amended to modernize the IHBT service and staffing models in conjunction with the OhioRISE work.

7. **Summarize the rule's content, and if this is an amended rule, also summarize the rule's changes.**

The rule is being amended to modernize the definition of IHBT services in paragraph (B), to align with how and where the service is delivered in paragraph (C), to update eligibility requirements in paragraph (D), and updated fidelity and competency standards in paragraphs (I) and (K).

8. **Does the rule incorporate material by reference? No**
9. **If the rule incorporates material by reference and the agency claims the material is exempt pursuant to R.C. 121.75, please explain the basis for the exemption and how an individual can find the referenced material.**

Not Applicable

10. **If revising or re-filing the rule, please indicate the changes made in the revised or re-filed version of the rule.**

The Department is refileing to make changes in response to comments received at the public hearing on January 5, 2022. The Department is removing the phrase "license eligible practioner" as requested.

II. Fiscal Analysis

11. **Please estimate the increase / decrease in the agency's revenues or expenditures in the current biennium due to this rule.**

This will have no impact on revenues or expenditures.

0.0

Not applicable.

12. **What are the estimated costs of compliance for all persons and/or organizations directly affected by the rule?**

Most of the changes are intended to increase flexibility in service delivery and as a result should only minimally impact providers.

13. **Does the rule increase local government costs? (If yes, you must complete an RSFA Part B). No**

14. **Does the rule regulate environmental protection? (If yes, you must complete an RSFA Part C). No**

15. **If the rule imposes a regulation fee, explain how the fee directly relates to your agency's cost in regulating the individual or business.**

Not applicable.

III. Common Sense Initiative (CSI) Questions

16. Was this rule filed with the Common Sense Initiative Office? Yes

17. Does this rule have an adverse impact on business? Yes

A. Does this rule require a license, permit, or any other prior authorization to engage in or operate a line of business? Yes

In order to be reimbursed by state and other governmental sources, providers must be certified according to this rule.

B. Does this rule impose a criminal penalty, a civil penalty, or another sanction, or create a cause of action, for failure to comply with its terms? No

C. Does this rule require specific expenditures or the report of information as a condition of compliance? No

D. Is it likely that the rule will directly reduce the revenue or increase the expenses of the lines of business of which it will apply or applies? No

IV. Regulatory Restrictions (This section only applies to agencies indicated in R.C. 121.95 (A))

18. Are you adding a new or removing an existing regulatory restriction as defined in R.C. 121.95? No

A. How many new regulatory restrictions do you propose adding?

Not Applicable

B. How many existing regulatory restrictions do you propose removing?

Not Applicable