

NOTICE OF PUBLIC HEARING
Ohio Department of Mental Health

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 the Ohio Administrative Code (OAC) rules as identified below and of a public hearing thereon.

OAC 5122-24-01 Certification Definitions
OAC 5122-29-30 Eligible Providers and Supervisors
OAC 5122-29-30 Appendix A
OAC 5122-29-30 Appendix B

Corrects some definitions of eligible providers and supervisors, and aligns definitions between 5122-14-01 and 5122-29-30, including the Appendices. Updates the credentialed abbreviation for a provisional professional counselor and provisional professional clinical counselor to align with proposed Ohio Counselor, Social Worker and Marriage and Family Therapist Board abbreviations.

OAC 5122-31-01 Mental Health Board/Mental Health Agency Procedures for Residential State Supplement (RSS) Placements for Persons with Mental Illness

Adds definition of “mental health resident program participation agreement” and existence of current valid mental health resident program participation agreement between adult care facility and local ADAMH/CMH board as a factor to be considered by the reviewing agency in determining whether the proposed placement of an individual with mental illness who is receiving RSS payments in an adult care facility would be an appropriate placement

OAC 5122-31-01 Mental Health Board/Mental Health Agency Accountability Rule Related to Adult Care Facility (ACF) Placements for Persons with Mental Illness

- Adds definition of “mental health resident program participation agreement”
- Adds requirement that an ADAMH/CMH board enter into a mental health resident program participation agreement with any adult care facility located within the board’s service district if the adult care facility is licensed by the department of health, meets all requirements set forth in the mental health resident program participation agreement template approved by the director of mental health & is willing to serve residents with mental illness
- Adds existence of current valid mental health resident program participation agreement between adult care facility and local ADAMH/CMH board as a factor to be considered by a mental health agency in determining whether the proposed placement of an individual with mental illness in an adult care facility would be an effective placement
- Adds requirement that the local ADAMH/CMH board work with an adult care facility to enter into a mental health resident program participation agreement where no such

agreement exists & one or more of the adult care facility residents seeks public mental health services

- Formatting changes required by LSC
- Adds requirement that a mental health agency or ADAMH/CMH board ensure that a mental health resident program participation agreement is executed between the adult care facility and the local ADAMH/CMH board prior to making a referral of an individual with mental illness to the adult care facility

A public hearing on the proposed rules will be held on **Tuesday, December 29, 2009**, beginning at **10:00 am**, and 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**. At this hearing, ODMH will accept verbal and/or written testimony on the proposed rules under consideration.

Persons unable to attend the public hearing may submit written comments on the proposed rules. Any written comments received or postmarked on or before the public hearing date will be treated as testimony and made available for public review. Submittal of written comments may be made to Janel M. Pequignot, Chief, Standards Development and Administrative Rules, by e-mail to PequignotJ@mh.state.oh.us; 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 copy of the rules is also available at the Ohio Department of Mental Health, 8th Floor, Rhodes State Office Tower, 30 East Broad Street, Columbus, Ohio 43215. Ask for Janel M. Pequignot.