

**Note:** Upload completed document to the Electronic Rule Filing System.

Hearing Date: 4/25/2022

Today's Date: 4/27/2022

Agency: Ohio Department of Mental Health and Addiction Services

Rule Number(s): 5122-40-01, 5122-40-03, 5122-40-06, 5122-40-08, 5122-40-09

---

If no comments at the hearing, please check the box. ☐

---

List organizations or individuals giving or submitting testimony before, during or after the public hearing and indicate the rule number(s) in question.

1. Ohio Association for the Treatment of Opioid Dependence (OATOD)
2. Opiant Pharmecuticals
3. The Ohio Association of Advanced Practice Nurses (OAAPN)
4. Click here to enter text.
5. Click here to enter text.
6. Click here to enter text.
7. Click here to enter text.
8. Click here to enter text.
9. Click here to enter text.
10. Click here to enter text.
11. Click here to enter text.
12. Click here to enter text.
13. Click here to enter text.
14. Click here to enter text.
15. Click here to enter text.
16. Click here to enter text.

## Hearing Summary Report

### **Consolidated Summary of Comments Received**

Please review all comments received and complete a consolidated summary paragraph of the comments and indicate the rule number(s).

---

Opiant requested that the Department make general changes to rules, including rules not already in this rule package. The request would be to change the use of Narcan/naloxone to placeholder overdose reversal medication.

OATOD made a number of requested changes to the rules. The new language regarding “stable patient” in 5122-40-01 was requested to be removed. In 5122-40-08, it was requested that paragraph (C) be rewritten to be clearer. In 5122-40-00, paragraph (C) was requested to be changed to remove the paragraph relating to stable patients.

OAAPN is requesting that advanced practice nurses be added to allowed practitioners in several locations in these rules, along with the addition of certified nurse midwife, clinical nurse specialist, and certified nurse practitioner.

## Hearing Summary Report

### **Incorporated Comments into Rule(s)**

Indicate how comments received during the hearing process were incorporated into the rule(s).  
If no comments were incorporated, explain why not.

---

The Department is not incorporating changes requested by Opiant as the request is based on possible future changes in statutory authority.

The Department is incorporating the OATOD requests, removing requested language and rewriting 5122-40-08(C).

In response to the request from OAAPN, the Department is not making changes 1 as the request is not in line with federal regulations, with the exception of one item in 5122-40-06. In that rule the Department will be adding "authorized prescriber" as requested, the Department does have the authority to act in those areas.