

As Re-referred by the House Rules and Reference Committee

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Sub. H. B. No. 369

Representative Sprague

**Cosponsors: Representatives Antonio, Boose, Buchy, Butler, Letson,
Patterson, Scherer, Sears, Sheehy, Smith, Wachtmann**

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A B I L L

To amend sections 340.01, 340.03, 340.08, 340.09, 1
340.15, 5119.01, 5119.21, 5119.22, 5119.23, 2
5119.25, and 5119.34 and to enact sections 3
340.092, 340.20, 340.201, 5119.221, 5119.222, and 4
5119.362 of the Revised Code, and to repeal 5
Section 327.83 of Am. Sub. H.B. 59 of the 130th 6
General Assembly, to establish requirements for 7
boards of alcohol, drug addiction, and mental 8
health services regarding treatment services for 9
opioid and co-occurring drug addiction; to require 10
adoption of rules regarding intake and resumption 11
of service procedures for community alcohol and 12
drug addiction services providers; to help defray 13
payroll costs associated with a court's employment 14
of drug court case managers; to provide a state 15
share of the capital costs of recovery housing 16
projects; and to make appropriations. 17

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF OHIO:

Section 1. That sections 340.01, 340.03, 340.08, 340.09, 18
340.15, 5119.01, 5119.21, 5119.22, 5119.23, 5119.25, and 5119.34 19

be amended and sections 340.092, 340.20, 340.201, 5119.221, 20
5119.222, and 5119.362 of the Revised Code be enacted to read as 21
follows: 22

Sec. 340.01. (A) As used in this chapter, ~~"addiction,"~~ 23

(1) "Addiction," "addiction services," "alcohol and drug 24
addiction services," "community addiction services provider," 25
"community alcohol and drug addiction services provider," 26
"community mental health services provider," "drug addiction," 27
"gambling addiction services," "mental health services," and 28
"mental illness" have the same meanings as in section 5119.01 of 29
the Revised Code. 30

(2) "Recovery housing" means housing for individuals 31
recovering from drug addiction that provides an alcohol and 32
drug-free living environment, peer support, assistance with 33
obtaining drug addiction services, and other drug addiction 34
recovery assistance. 35

(B) An alcohol, drug addiction, and mental health service 36
district shall be established in any county or combination of 37
counties having a population of at least fifty thousand to provide 38
addiction services and mental health services. With the approval 39
of the director of mental health and addiction services, any 40
county or combination of counties having a population of less than 41
fifty thousand may establish such a district. Districts comprising 42
more than one county shall be known as joint-county districts. 43

The board of county commissioners of any county participating 44
in a joint-county district may submit a resolution requesting 45
withdrawal from the district together with a comprehensive plan or 46
plans that are in compliance with rules adopted by the director of 47
mental health and addiction services under section 5119.22 of the 48
Revised Code, and that provide for the equitable adjustment and 49

division of all services, assets, property, debts, and 50
obligations, if any, of the joint-county district to the board of 51
alcohol, drug addiction, and mental health services, to the boards 52
of county commissioners of each county in the district, and to the 53
~~directors~~ director. No county participating in a joint-county 54
service district may withdraw from the district without the 55
consent of the director of mental health and addiction services 56
nor earlier than one year after the submission of such resolution 57
unless all of the participating counties agree to an earlier 58
withdrawal. Any county withdrawing from a joint-county district 59
shall continue to have levied against its tax list and duplicate 60
any tax levied by the district during the period in which the 61
county was a member of the district until such time as the levy 62
expires or is renewed or replaced. 63

Sec. 340.03. (A) Subject to rules issued by the director of 64
mental health and addiction services after consultation with 65
relevant constituencies as required by division (A)(10) of section 66
5119.21 of the Revised Code, the board of alcohol, drug addiction, 67
and mental health services shall: 68

(1) Serve as the community addiction and mental health 69
services planning agency for the county or counties under its 70
jurisdiction, and in so doing it shall: 71

(a) Evaluate the need for facilities and community addiction 72
and mental health services; 73

(b) In cooperation with other local and regional planning and 74
funding bodies and with relevant ethnic organizations, assess the 75
community addiction and mental health needs, evaluate strengths 76
and challenges, and set priorities for community addiction and 77
mental health services, including treatment and prevention. When 78
the board sets priorities for the operation of addiction services, 79
the board shall consult with the county commissioners of the 80

counties in the board's service district regarding the services 81
described in section 340.15 of the Revised Code and shall give 82
priority to those services, except that those services shall not 83
have a priority over services provided to pregnant women under 84
programs developed in relation to the mandate established in 85
section 5119.17 of the Revised Code; 86

(c) In accordance with guidelines issued by the director of 87
mental health and addiction services after consultation with board 88
representatives, annually develop and submit to the department of 89
mental health and addiction services a community addiction and 90
mental health services plan listing community addiction and mental 91
health services needs, including the needs of all residents of the 92
district currently receiving inpatient services in state-operated 93
hospitals, the needs of other populations as required by state or 94
federal law or programs, the needs of all children subject to a 95
determination made pursuant to section 121.38 of the Revised Code, 96
and priorities for facilities and community addiction and mental 97
health services during the period for which the plan will be in 98
effect. 99

In alcohol, drug addiction, and mental health service 100
districts that have separate alcohol and drug addiction services 101
and community mental health boards, the alcohol and drug addiction 102
services board shall submit a community addiction services plan 103
and the community mental health board shall submit a community 104
mental health services plan. Each board shall consult with its 105
counterpart in developing its plan and address the interaction 106
between the local addiction services and mental health services 107
systems and populations with regard to needs and priorities in 108
developing its plan. 109

The department shall approve or disapprove the plan, in whole 110
or in part, according to the criteria developed pursuant to 111
section 5119.22 of the Revised Code. Eligibility for state and 112

federal funding shall be contingent upon an approved plan or 113
relevant part of a plan. 114

If a board determines that it is necessary to amend a plan 115
that has been approved under this division, the board shall submit 116
a proposed amendment to the director. The director may approve or 117
disapprove all or part of the amendment. The director shall inform 118
the board of the reasons for disapproval of all or part of an 119
amendment and of the criteria that must be met before the 120
amendment may be approved. The director shall provide the board an 121
opportunity to present its case on behalf of the amendment. The 122
director shall give the board a reasonable time in which to meet 123
the criteria, and shall offer the board technical assistance to 124
help it meet the criteria. 125

The board shall operate in accordance with the plan approved 126
by the department. 127

(d) Promote, arrange, and implement working agreements with 128
social agencies, both public and private, and with judicial 129
agencies. 130

(2) Investigate, or request another agency to investigate, 131
any complaint alleging abuse or neglect of any person receiving 132
services from a community addiction or mental health services 133
provider certified under section 5119.36 of the Revised Code or 134
alleging abuse or neglect of a resident receiving addiction 135
services or with mental illness or severe mental disability 136
residing in a residential facility licensed under section 5119.34 137
of the Revised Code. If the investigation substantiates the charge 138
of abuse or neglect, the board shall take whatever action it 139
determines is necessary to correct the situation, including 140
notification of the appropriate authorities. Upon request, the 141
board shall provide information about such investigations to the 142
department. 143

(3) For the purpose of section 5119.36 of the Revised Code, 144
cooperate with the director of mental health and addiction 145
services in visiting and evaluating whether the services of a 146
community addiction or mental health services provider satisfy the 147
certification standards established by rules adopted under that 148
section; 149

(4) In accordance with criteria established under division 150
(E) of section 5119.22 of the Revised Code, conduct program audits 151
that review and evaluate the quality, effectiveness, and 152
efficiency of services provided through its community addiction 153
and mental health contracted services and submit its findings and 154
recommendations to the department of mental health and addiction 155
services; 156

(5) In accordance with section 5119.34 of the Revised Code, 157
review an application for a residential facility license and 158
provide to the department of mental health and addiction services 159
any information about the applicant or facility that the board 160
would like the department to consider in reviewing the 161
application; 162

(6) Audit, in accordance with rules adopted by the auditor of 163
state pursuant to section 117.20 of the Revised Code, at least 164
annually all programs and services provided under contract with 165
the board. In so doing, the board may contract for or employ the 166
services of private auditors. A copy of the fiscal audit report 167
shall be provided to the director of mental health and addiction 168
services, the auditor of state, and the county auditor of each 169
county in the board's district. 170

(7) Recruit and promote local financial support for addiction 171
and mental health services from private and public sources; 172

(8)(a) Enter into contracts with public and private 173
facilities for the operation of facility services and enter into 174

contracts with public and private community addiction and mental 175
health service providers for the provision of community addiction 176
and mental health services. The board may not contract with a 177
residential facility subject to section 5119.34 of the Revised 178
Code unless the facility is licensed by the director of mental 179
health and addiction services and may not contract with a 180
community addiction or mental health services provider to provide 181
community addiction or mental health services unless the services 182
are certified by the director of mental health and addiction 183
services under section 5119.36 of the Revised Code. Section 307.86 184
of the Revised Code does not apply to contracts entered into under 185
this division. In contracting with a community addiction or mental 186
health services provider, a board shall consider the cost 187
effectiveness of services provided by that provider and the 188
quality and continuity of care, and may review cost elements, 189
including salary costs, of the services to be provided. A 190
utilization review process may be established as part of the 191
contract for services entered into between a board and a community 192
addiction or mental health services provider. The board may 193
establish this process in a way that is most effective and 194
efficient in meeting local needs. 195

If either the board or a facility or community addiction or 196
mental health services provider with which the board contracts 197
under this division proposes not to renew the contract or proposes 198
substantial changes in contract terms, the other party shall be 199
given written notice at least one hundred twenty days before the 200
expiration date of the contract. During the first sixty days of 201
this one hundred twenty-day period, both parties shall attempt to 202
resolve any dispute through good faith collaboration and 203
negotiation in order to continue to provide services to persons in 204
need. If the dispute has not been resolved sixty days before the 205
expiration date of the contract, either party may notify the 206
department of mental health and addiction services of the 207

unresolved dispute. The director may require both parties to 208
submit the dispute to a third party with the cost to be shared by 209
the board and the facility or provider. The third party shall 210
issue to the board, the facility or provider, and the department 211
recommendations on how the dispute may be resolved twenty days 212
prior to the expiration date of the contract, unless both parties 213
agree to a time extension. The director shall adopt rules 214
establishing the procedures of this dispute resolution process. 215

(b) With the prior approval of the director of mental health 216
and addiction services, a board may operate a facility or provide 217
a community addiction or mental health service as follows, if 218
there is no other qualified private or public facility or 219
community addiction or mental health services provider that is 220
immediately available and willing to operate such a facility or 221
provide the service: 222

(i) In an emergency situation, any board may operate a 223
facility or provide a community addiction or mental health service 224
in order to provide essential services for the duration of the 225
emergency; 226

(ii) In a service district with a population of at least one 227
hundred thousand but less than five hundred thousand, a board may 228
operate a facility or provide a community addiction or mental 229
health service for no longer than one year; 230

(iii) In a service district with a population of less than 231
one hundred thousand, a board may operate a facility or provide a 232
community addiction or mental health service for no longer than 233
one year, except that such a board may operate a facility or 234
provide a community addiction or mental health service for more 235
than one year with the prior approval of the director and the 236
prior approval of the board of county commissioners, or of a 237
majority of the boards of county commissioners if the district is 238
a joint-county district. 239

The director shall not give a board approval to operate a 240
facility or provide a community addiction or mental health service 241
under division (A)(8)(b)(ii) or (iii) of this section unless the 242
director determines that it is not feasible to have the department 243
operate the facility or provide the service. 244

The director shall not give a board approval to operate a 245
facility or provide a community addiction or mental health service 246
under division (A)(8)(b)(iii) of this section unless the director 247
determines that the board will provide greater administrative 248
efficiency and more or better services than would be available if 249
the board contracted with a private or public facility or 250
community addiction or mental health services provider. 251

The director shall not give a board approval to operate a 252
facility previously operated by a person or other government 253
entity unless the board has established to the director's 254
satisfaction that the person or other government entity cannot 255
effectively operate the facility or that the person or other 256
government entity has requested the board to take over operation 257
of the facility. The director shall not give a board approval to 258
provide a community addiction or mental health service previously 259
provided by a community addiction or mental health services 260
provider unless the board has established to the director's 261
satisfaction that the provider cannot effectively provide the 262
service or that the provider has requested the board take over 263
providing the service. 264

The director shall review and evaluate a board's operation of 265
a facility and provision of community addiction or mental health 266
service under division (A)(8)(b) of this section. 267

Nothing in division (A)(8)(b) of this section authorizes a 268
board to administer or direct the daily operation of any facility 269
or community addiction or mental health services provider, but a 270
facility or provider may contract with a board to receive 271

administrative services or staff direction from the board under	272
the direction of the governing body of the facility or provider.	273
(9) Approve fee schedules and related charges or adopt a unit	274
cost schedule or other methods of payment for contract services	275
provided by community addiction or mental health services	276
providers in accordance with guidelines issued by the department	277
as necessary to comply with state and federal laws pertaining to	278
financial assistance;	279
(10) Submit to the director and the county commissioners of	280
the county or counties served by the board, and make available to	281
the public, an annual report of the services under the	282
jurisdiction of the board, including a fiscal accounting;	283
(11) Establish, to the extent resources are available, <u>a full</u>	284
<u>spectrum of care for all levels of treatment services for opioid</u>	285
<u>and co-occurring drug addiction and</u> a continuum of care, which	286
provides <u>for other services that provide</u> for prevention,	287
treatment, support, and rehabilitation services and opportunities.	288
The essential elements of the <u>full spectrum and</u> continuum <u>of care</u>	289
include, but are not limited to, the following components in	290
accordance with section 5119.21 of the Revised Code:	291
(a) To locate persons in need of addiction or mental health	292
services to inform them of available services and benefits;	293
(b) Assistance for persons receiving services to obtain	294
services necessary to meet basic human needs for food, clothing,	295
shelter, medical care, personal safety, and income;	296
(c) Addiction and mental health services, including, but not	297
limited to, outpatient, residential, partial hospitalization, and,	298
where appropriate, inpatient care;	299
(d) Emergency services and crisis intervention;	300
(e) Assistance for persons receiving services to obtain	301

vocational services and opportunities for jobs;	302
(f) The provision of services designed to develop social, community, and personal living skills;	303 304
(g) Access to a wide range of housing and the provision of residential treatment and support;	305 306
(h) Support, assistance, consultation, and education for families, friends, persons receiving addiction or mental health services, and others;	307 308 309
(i) Recognition and encouragement of families, friends, neighborhood networks, especially networks that include racial and ethnic minorities, churches, community organizations, and community employment as natural supports for persons receiving addiction or mental health services;	310 311 312 313 314
(j) Grievance procedures and protection of the rights of persons receiving addiction or mental health services;	315 316
(k) Community psychiatric supportive treatment services, which includes continual individualized assistance and advocacy to ensure that needed services are offered and procured;	317 318 319
<u>(l) Any additional component the department determines is necessary to establish a full spectrum of care for all levels of treatment services for opioid and co-occurring drug addiction and a continuum of care for other services.</u>	320 321 322 323
(12) Establish a method for evaluating referrals for involuntary commitment and affidavits filed pursuant to section 5122.11 of the Revised Code in order to assist the probate division of the court of common pleas in determining whether there is probable cause that a respondent is subject to involuntary hospitalization and what alternative treatment is available and appropriate, if any;	324 325 326 327 328 329 330
(13) Designate the treatment services, provider, facility, or	331

other placement for each person involuntarily committed to the 332
board pursuant to Chapter 5122. of the Revised Code. The board 333
shall provide the least restrictive and most appropriate 334
alternative that is available for any person involuntarily 335
committed to it and shall assure that the listed services 336
submitted and approved in accordance with division (B) of section 337
340.08 of the Revised Code are available to severely mentally 338
disabled persons residing within its service district. The board 339
shall establish the procedure for authorizing payment for 340
services, which may include prior authorization in appropriate 341
circumstances. The board may provide for services directly to a 342
severely mentally disabled person when life or safety is 343
endangered and when no community mental health services provider 344
is available to provide the service. 345

(14) Ensure that apartments or rooms built, subsidized, 346
renovated, rented, owned, or leased by the board or a community 347
addiction or mental health services provider have been approved as 348
meeting minimum fire safety standards and that persons residing in 349
the rooms or apartments are receiving appropriate and necessary 350
services, including culturally relevant services, from a community 351
addiction or mental health services provider. This division does 352
not apply to residential facilities licensed pursuant to section 353
5119.34 of the Revised Code. 354

(15) Establish a mechanism for obtaining advice and 355
involvement of persons receiving publicly funded addiction or 356
mental health services on matters pertaining to addiction and 357
mental health services in the alcohol, drug addiction, and mental 358
health service district; 359

(16) Perform the duties required by rules adopted under 360
section 5119.22 of the Revised Code regarding referrals by the 361
board or mental health services providers under contract with the 362
board of individuals with mental illness or severe mental 363

disability to residential facilities as defined in division 364
(A)(9)(b)(iii) of section 5119.34 of the Revised Code and 365
effective arrangements for ongoing mental health services for the 366
individuals. The board is accountable in the manner specified in 367
the rules for ensuring that the ongoing mental health services are 368
effectively arranged for the individuals. 369

(B) The board shall establish such rules, operating 370
procedures, standards, and bylaws, and perform such other duties 371
as may be necessary or proper to carry out the purposes of this 372
chapter. 373

(C) A board of alcohol, drug addiction, and mental health 374
services may receive by gift, grant, devise, or bequest any 375
moneys, lands, or property for the benefit of the purposes for 376
which the board is established, and may hold and apply it 377
according to the terms of the gift, grant, or bequest. All money 378
received, including accrued interest, by gift, grant, or bequest 379
shall be deposited in the treasury of the county, the treasurer of 380
which is custodian of the alcohol, drug addiction, and mental 381
health services funds to the credit of the board and shall be 382
available for use by the board for purposes stated by the donor or 383
grantor. 384

(D) No board member or employee of a board of alcohol, drug 385
addiction, and mental health services shall be liable for injury 386
or damages caused by any action or inaction taken within the scope 387
of the board member's official duties or the employee's 388
employment, whether or not such action or inaction is expressly 389
authorized by this section or any other section of the Revised 390
Code, unless such action or inaction constitutes willful or wanton 391
misconduct. Chapter 2744. of the Revised Code applies to any 392
action or inaction by a board member or employee of a board taken 393
within the scope of the board member's official duties or 394
employee's employment. For the purposes of this division, the 395

conduct of a board member or employee shall not be considered 396
willful or wanton misconduct if the board member or employee acted 397
in good faith and in a manner that the board member or employee 398
reasonably believed was in or was not opposed to the best 399
interests of the board and, with respect to any criminal action or 400
proceeding, had no reasonable cause to believe the conduct was 401
unlawful. 402

(E) The meetings held by any committee established by a board 403
of alcohol, drug addiction, and mental health services shall be 404
considered to be meetings of a public body subject to section 405
121.22 of the Revised Code. 406

Sec. 340.08. In accordance with rules or guidelines issued by 407
the director of mental health and addiction services, each board 408
of alcohol, drug addiction, and mental health services shall do 409
all of the following: 410

(A) Submit to the department of mental health and addiction 411
services a report of receipts and expenditures for all federal, 412
state, and local moneys the board expects to receive. 413

(1) The report shall identify funds the board has available 414
for the full spectrum of care for all levels of treatment services 415
for opioid and co-occurring drug addiction required by division 416
(C) of section 340.09 of the Revised Code. 417

(2) The report shall identify funds the board and public 418
children services agencies in the board's service district have 419
available to fund jointly the services described in section 340.15 420
of the Revised Code. 421

~~(2)~~(3) The board's proposed budget for expenditures of state 422
and federal funds distributed to the board by the department shall 423
be deemed an application for funds, and the department shall 424
approve or disapprove the budget for these expenditures. The 425

department shall inform the board of the reasons for disapproval 426
of the budget for the expenditure of state and federal funds and 427
of the criteria that must be met before the budget may be 428
approved. The director shall provide the board an opportunity to 429
present its case on behalf of the submitted budget. The director 430
shall give the board a reasonable time in which to meet the 431
criteria and shall offer the board technical assistance to help it 432
meet the criteria. 433

If a board determines that it is necessary to amend a budget 434
that has been approved under this section, the board shall submit 435
a proposed amendment to the director. The director may approve or 436
disapprove all or part of the amendment. The director shall inform 437
the board of the reasons for disapproval of all or part of the 438
amendment and of the criteria that must be met before the 439
amendment may be approved. The director shall provide the board an 440
opportunity to present its case on behalf of the amendment. The 441
director shall give the board a reasonable time in which to meet 442
the criteria and shall offer the board technical assistance to 443
help it meet the criteria. 444

~~(3)~~(4) The director of mental health and addiction services, 445
in whole or in part, may withhold funds otherwise to be allocated 446
to a board of alcohol, drug addiction, and mental health services 447
under Chapter 5119. of the Revised Code if the board's use of 448
state and federal funds fails to comply with the approved budget, 449
as it may be amended with the approval of the department. However, 450
the director shall withhold all such funds from the board if the 451
board fails to make the full spectrum of care for all levels of 452
treatment services for opioid and co-occurring drug addiction 453
available in the board's district in accordance with division (C) 454
of section 340.09 of the Revised Code. 455

(B) Submit to the department a statement identifying the 456
services described in section 340.09 of the Revised Code the board 457

intends to make available. The board shall include the full 458
spectrum of care for all levels of treatment services for opioid 459
and co-occurring drug addiction required by division (C) of 460
section 340.09 of the Revised Code, crisis intervention services 461
for individuals in emergency situations, and services required 462
pursuant to section 340.15 of the Revised Code, ~~and the.~~ The board 463
shall explain the manner in which the board intends to make such 464
services available. The list of services shall be compatible with 465
the budget submitted pursuant to division (A) of this section. The 466
department shall approve or disapprove the proposed listing of 467
services to be made available. The department shall inform the 468
board of the reasons for disapproval of the listing of proposed 469
services and of the criteria that must be met before listing of 470
proposed services may be approved. The director shall provide the 471
board an opportunity to present its case on behalf of the 472
submitted listing of proposed services. The director shall give 473
the board a reasonable time in which to meet the criteria and 474
shall offer the board technical assistance to help it meet the 475
criteria. 476

(C) Enter into a continuity of care agreement with the state 477
institution operated by the department of mental health and 478
addiction services and designated as the institution serving the 479
district encompassing the board's service district. The continuity 480
of care agreement shall outline the department's and the board's 481
responsibilities to plan for and coordinate with each other to 482
address the needs of board residents who are patients in the 483
institution, with an emphasis on managing appropriate hospital bed 484
day use and discharge planning. The continuity of care agreement 485
shall not require the board to provide services other than those 486
on the list of services submitted by the board and approved by the 487
department pursuant to division (B) of this section. 488

(D) In conjunction with the department of mental health and 489

addiction services, operate a coordinated system for tracking and 490
monitoring persons found not guilty by reason of insanity and 491
committed pursuant to section 2945.40 of the Revised Code who have 492
been granted a conditional release and persons found incompetent 493
to stand trial and committed pursuant to section 2945.39 of the 494
Revised Code who have been granted a conditional release. The 495
system shall do all of the following: 496

(1) Centralize responsibility for the tracking of those 497
persons; 498

(2) Provide for uniformity in monitoring those persons; 499

(3) Provide a mechanism to allow prompt rehospitalization, 500
reinstitutionalization, or detention when a violation of the 501
conditional release or decompensation occurs. 502

(E) Submit to the department a report summarizing complaints 503
and grievances received by the board concerning the rights of 504
persons seeking or receiving services, investigations of 505
complaints and grievances, and outcomes of the investigations. 506

(F) Provide to the department information to be submitted to 507
the community addiction and mental health information system or 508
systems established by the department under Chapter 5119. of the 509
Revised Code. 510

(G) Annually, and upon any change in membership, submit to 511
the department a list of all current members of the board of 512
alcohol, drug addiction, and mental health services, including the 513
appointing authority for each member, and the member's specific 514
qualification for appointment pursuant to section 340.02 or 515
340.021 of the Revised Code, if applicable. 516

(H) Submit to the department other information as is 517
reasonably required for purposes of the department's operations, 518
service evaluation, reporting activities, research, system 519
administration, and oversight. 520

Sec. 340.09. (A) As used in this section, 521
"medication-assisted treatment" means alcohol and drug addiction 522
services that are accompanied by medication approved by the United 523
States food and drug administration for the treatment of drug 524
addiction, prevention of a relapse of drug addiction, or both. 525

(B) The department of mental health and addiction services 526
shall provide assistance to any county for ~~the~~ all of the 527
following from funds the general assembly appropriates for these 528
purposes: 529

(1) The operation of ~~boards~~ the board of alcohol, drug 530
addiction, and mental health services, ~~the provision of services~~ 531
serving the county; 532

(2) The full spectrum of care for all levels of treatment 533
services for opioid and co-occurring drug addiction that are 534
approved by the department and made available in the county by the 535
board serving the county; 536

(3) The continuum of care for other services that are 537
approved by the department ~~within the continuum of care, the~~ and 538
made available in the county by the board serving the county; 539

(4) The provision of approved support functions, ~~and the;~~ 540

(5) The partnership in, or support for, ~~approved continuum of~~ 541
care-related activities ~~from funds appropriated for that purpose~~ 542
by the general assembly related to the full spectrum of all levels 543
of treatment services for opioid and co-occurring drug addiction 544
and the continuum of care of other services. 545

~~(B)~~(C) The full spectrum of care for all levels of treatment 546
services for opioid and co-occurring drug addiction shall include 547
at least ambulatory and sub-acute detoxification, non-intensive 548
and intensive outpatient services, medication-assisted treatment, 549
peer mentoring, residential treatment services, recovery housing 550

pursuant to section 340.092 of the Revised Code, and twelve-step 551
approaches. The treatment services shall be made available in the 552
service district of each board, except that a treatment consisting 553
of sub-acute detoxification or residential treatment services for 554
opioid and co-occurring drug addiction is not required to be 555
available in a board's service district if the board has a 556
contract with one or more providers of sub-acute detoxification or 557
residential treatment services for opioid and co-occurring drug 558
addiction located in other service districts. The treatment 559
services shall be made available in a manner that ensures that 560
service recipients are able to access the services they need for 561
opioid and co-occurring drug addiction in an integrated manner and 562
without delay when changing or obtaining additional treatment 563
services for such addiction. A treatment service for opioid and 564
co-occurring drug addiction shall not be excluded from the full 565
spectrum of care on the basis that the treatment service 566
previously failed. 567

(D) Categories in the continuum of care for other services 568
may include the following: 569

(1) Inpatient; 570

(2) Sub-acute detoxification; 571

(3) Residential; 572

~~(3)~~(4) Outpatient treatment; 573

~~(4)~~(5) Intensive and other supports; 574

~~(5)~~(6) Recovery support; 575

~~(6)~~(7) Prevention and wellness management. 576

~~(C)~~(E) Support functions may include the following: 577

(1) Consultation; 578

(2) Research; 579

- (3) Administrative; 580
- (4) Referral and information; 581
- (5) Training; 582
- (6) Service and program evaluation. 583

Sec. 340.092. All of the following apply to the recovery housing that each board of alcohol, drug addiction, and mental health services shall include in the full spectrum of care for all levels of treatment services for opioid and co-occurring drug addiction under division (C) of section 340.09 of the Revised Code: 584
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(A) The recovery housing shall be owned and operated by a community alcohol and drug addiction services provider or other local nongovernmental organization (including a peer-run recovery organization), as appropriate to the needs of the board's service district. 590
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(B) The recovery housing shall have protocols for all of the following: 595
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(1) Administrative oversight; 597

(2) Quality standards; 598

(3) Policies and procedures, including house rules, for its residents to which the residents must agree to adhere. 599
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(C) Individuals recovering from opioid or co-occurring drug addiction shall have priority in admission to the recovery housing, but an individual recovering from other drug addictions may be admitted if an available slot is not needed for an individual recovering from opioid or co-occurring drug addiction. 601
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(D) Family members of the recovery housing's residents may reside in the recovery housing to the extent the recovery housing's protocols permit. 606
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(E) The recovery housing shall not limit a resident's duration of stay to an arbitrary or fixed amount of time. Instead, each resident's duration of stay shall be determined by the resident's needs, progress, and willingness to abide by the recovery housing's protocols, in collaboration with the recovery housing's owner, and, if appropriate, in consultation and integration with another community alcohol and drug addiction services provider.

(F) The recovery housing is not subject to licensure or certification by the department of mental health and addiction services under Chapter 5119. of the Revised Code, including as a community addiction services provider.

Sec. 340.15. (A) A public children services agency that identifies a child by a risk assessment conducted pursuant to section 5153.16 of the Revised Code as being at imminent risk of being abused or neglected because of an addiction of a parent, guardian, or custodian of the child to a drug of abuse or alcohol shall refer the child's addicted parent, guardian, or custodian and, if the agency determines that the child needs alcohol or other drug addiction services, the child to a community addiction services provider certified by the department of mental health and addiction services under section 5119.36 of the Revised Code. A public children services agency that is sent a court order issued pursuant to division (B) of section 2151.3514 of the Revised Code shall refer the addicted parent or other caregiver of the child identified in the court order to a community addiction services provider certified by the department of mental health and addiction services under section 5119.36 of the Revised Code. On receipt of a referral under this division and to the extent funding identified under division (A)~~(1)~~(2) of section 340.08 of the Revised Code is available, the provider shall provide the following services to the addicted parent, guardian, custodian, or

caregiver and child in need of addiction services: 641

(1) If it is determined pursuant to an initial screening to 642
be needed, assessment and appropriate treatment; 643

(2) Documentation of progress in accordance with a treatment 644
plan developed for the addicted parent, guardian, custodian, 645
caregiver, or child; 646

(3) If the referral is based on a court order issued pursuant 647
to division (B) of section 2151.3514 of the Revised Code and the 648
order requires the specified parent or other caregiver of the 649
child to submit to alcohol or other drug testing during, after, or 650
both during and after, treatment, testing in accordance with the 651
court order. 652

(B) The services described in division (A) of this section 653
shall have a priority as provided in the addiction and mental 654
health services plan and budget established pursuant to sections 655
340.03 and 340.08 of the Revised Code. Once a referral has been 656
received pursuant to this section, the public children services 657
agency and the addiction services provider shall, in accordance 658
with 42 C.F.R. Part 2, share with each other any information 659
concerning the persons and services described in that division 660
that the agency and provider determine are necessary to share. If 661
the referral is based on a court order issued pursuant to division 662
(B) of section 2151.3514 of the Revised Code, the results and 663
recommendations of the addiction services provider also shall be 664
provided and used as described in division (D) of that section. 665
Information obtained or maintained by the agency or provider 666
pursuant to this section that could enable the identification of 667
any person described in division (A) of this section is not a 668
public record subject to inspection or copying under section 669
149.43 of the Revised Code. 670

Sec. 340.20. (A) In accordance with rules adopted under 671

section 5119.221 of the Revised Code, each community alcohol and 672
drug addiction services provider shall do all of the following: 673

(1) Maintain, in an aggregate form, a waiting list of 674
individuals to whom all of the following apply: 675

(a) The individual has been documented as needing alcohol and 676
drug addiction services due to an opioid or co-occurring drug 677
addiction. 678

(b) The individual has applied to the provider for a 679
treatment service included in the full spectrum of care required 680
by division (C) of section 340.09 of the Revised Code. 681

(c) The individual has not begun to receive the treatment 682
service within five days of the individual's application for the 683
service because the provider lacks an available slot for the 684
individual. 685

(2) Notify an individual included on the provider's waiting 686
list when the provider has a slot available for the individual 687
and, if the individual does not contact the provider about the 688
slot within a period of time specified in the rules, contact the 689
individual to determine why the individual did not contact the 690
provider and to assess whether the individual still needs the 691
treatment service; 692

(3) Subject to divisions (B) and (C) of this section, report 693
all of the following information each month to the board of 694
alcohol, drug addiction, and mental health services that serves 695
the county or counties in which the provider provides alcohol and 696
drug addiction services: 697

(a) An unduplicated count of all individuals who reside in a 698
county that the board serves and were included on the provider's 699
waiting list as of the last day of the immediately preceding month 700
and each type of treatment service for which they were waiting; 701

(b) The total number of days all such individuals had been on the provider's waiting list as of the last day of the immediately preceding month; 702
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(c) The last known types of residential settings in which all such individuals resided as of the last day of the immediately preceding month; 705
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(d) The number of all such individuals who did not contact the provider after receiving, during the immediately preceding month, the notices under division (A)(2) of this section about the provider having slots available for the individuals, and the reasons why the contacts were not made; 708
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(e) The number of all such individuals who withdrew, in the immediately preceding month, their applications for the treatment services, each type of treatment service for which those individuals had applied, and the reasons the applications were withdrawn; 713
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(f) All other information specified in the rules. 718

(B) If a community alcohol and drug addiction services provider provides alcohol and drug addiction services in more than one county and those counties are served by different boards of alcohol, drug addiction, and mental health services, the provider shall provide separate reports under division (C)(3) of this section to each of the boards serving the counties in which the provider provides the services. The report provided to a board shall be specific to the county or counties the board serves and not include information for individuals residing in other counties. 719
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(C) Each report that a community alcohol and drug addiction services provider provides to a board of alcohol, drug addiction, and mental health services under this section shall do all of the following: 729
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(1) Maintain the confidentiality of all individuals for whom information is included in the report; 733
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(2) For the purpose of the information reported under division (A)(3)(c) of this section, identify the types of residential settings at least as either institutional or noninstitutional. 735
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(3) If the report is provided to a board that serves more than one county, present the information included in the report in a manner that is broken down for each of the counties the board serves. 739
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Sec. 340.201. (A) In accordance with the rules adopted under section 5119.221 of the Revised Code, each board of alcohol, drug addiction, and mental health services monthly shall do all of the following: 743
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(1) Compile on an aggregate basis the information the board receives that month from community alcohol and drug addiction services providers under section 340.20 of the Revised Code; 747
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(2) Determine the number of applications for a treatment service included in the full spectrum of care required by division (C) of section 340.09 of the Revised Code that the board received in the immediately preceding month and that the board denied that month, each type of treatment service so denied, and the reasons for the denials; 750
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(3) Subject to division (B) of this section, report all of the following to the department of mental health and addiction services: 756
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(a) The information that the board compiles under division (A)(1) of this section that month; 759
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(b) The information that the board determines under division (A)(2) of this section that month; 761
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<u>(c) All other information required by the rules.</u>	763
<u>(B) Each board shall report the information required by</u>	764
<u>division (A)(3) of this section as follows:</u>	765
<u>(1) In an electronic format;</u>	766
<u>(2) In a manner that maintains the confidentiality of all</u>	767
<u>individuals for whom information is included in the report;</u>	768
<u>(3) In a manner that presents the information about the</u>	769
<u>individuals whose information is included in the report by their</u>	770
<u>counties of residence.</u>	771
Sec. 5119.01. (A) As used in this chapter:	772
(1) "Addiction" means the chronic and habitual use of	773
alcoholic beverages, the use of a drug of abuse as defined in	774
section 3719.011 of the Revised Code, or the use of gambling by an	775
individual to the extent that the individual no longer can control	776
the individual's use of alcohol, the individual becomes physically	777
or psychologically dependent on the drug, the individual's use of	778
alcohol or drugs endangers the health, safety, or welfare of the	779
individual or others, or the individual's gambling causes	780
psychological, financial, emotional, marital, legal, or other	781
difficulties endangering the health, safety, or welfare of the	782
individual or others.	783
(2) "Addiction services" means services, including	784
intervention, for the treatment of persons with alcohol, drug, or	785
gambling addictions, and for the prevention of such addictions.	786
(3) "Alcohol and drug addiction services" means services,	787
including intervention, for the treatment of alcoholics or persons	788
who abuse drugs of abuse and for the prevention of alcoholism and	789
drug addiction.	790
(4) "Alcoholic" means a person suffering from alcoholism.	791

(5) "Alcoholism" means the chronic and habitual use of alcoholic beverages by an individual to the extent that the individual no longer can control the individual's use of alcohol or endangers the health, safety, or welfare of the individual or others.

(6) "Community addiction services provider" means an agency, association, corporation, individual, or program that provides community alcohol, drug addiction, or gambling addiction services that are certified by the department of mental health and addiction services under section 5119.36 of the Revised Code.

(7) "Community alcohol and drug addiction services provider" means an agency, association, corporation, individual, or program that provides community alcohol and drug addiction services that are certified by the department of mental health and addiction services under section 5119.36 of the Revised Code.

(8) "Community mental health services provider" means an agency, association, corporation, individual, or program that provides community mental health services that are certified by the department of mental health and addiction services under section 5119.36 of the Revised Code.

~~(8)~~(9) "Drug addiction" means the use of a drug of abuse, as defined in section 3719.011 of the Revised Code, by an individual to the extent that the individual becomes physically or psychologically dependent on the drug or endangers the health, safety, or welfare of the individual or others.

~~(9)~~(10) "Gambling addiction" means the use of gambling by an individual to the extent that it causes psychological, financial, emotional, marital, legal, or other difficulties endangering the health, safety, or welfare of the individual or others.

~~(10)~~(11) "Gambling addiction services" means services for the treatment of persons who have a gambling addiction and for the

prevention of gambling addiction. 823

~~(11)~~(12) "Hospital" means a hospital or inpatient unit 824
licensed by the department of mental health and addiction services 825
under section 5119.33 of the Revised Code, and any institution, 826
hospital, or other place established, controlled, or supervised by 827
the department under Chapter 5119. of the Revised Code. 828

~~(12)~~(13) "Mental illness" means a substantial disorder of 829
thought, mood, perception, orientation, or memory that grossly 830
impairs judgment, behavior, capacity to recognize reality, or 831
ability to meet the ordinary demands of life. 832

~~(13)~~(14) "Mental health services" means services for the 833
assessment, care, or treatment of persons who have a mental 834
illness as defined in this section. 835

~~(14)~~(15)(a) "Residence" means a person's physical presence in 836
a county with intent to remain there, except in either of the 837
following circumstances: 838

(i) If a person is receiving a mental health service at a 839
facility that includes nighttime sleeping accommodations, 840
"residence" means that county in which the person maintained the 841
person's primary place of residence at the time the person entered 842
the facility; 843

(ii) If a person is committed pursuant to section 2945.38, 844
2945.39, 2945.40, 2945.401, or 2945.402 of the Revised Code, 845
"residence" means the county where the criminal charges were 846
filed. 847

(b) When the residence of a person is disputed, the matter of 848
residence shall be referred to the department of mental health and 849
addiction services for investigation and determination. Residence 850
shall not be a basis for a board of alcohol, drug addiction, and 851
mental health services to deny services to any person present in 852
the board's service district, and the board shall provide services 853

for a person whose residence is in dispute while residence is 854
being determined and for a person in an emergency situation. 855

(B) Any reference in this chapter to a board of alcohol, drug 856
addiction, and mental health services also refers to an alcohol 857
and drug addiction services board or a community mental health 858
board in a service district in which an alcohol and drug addiction 859
services board or a community mental health board has been 860
established under section 340.021 or former section 340.02 of the 861
Revised Code. 862

Sec. 5119.21. (A) The department of mental health and 863
addiction services shall: 864

(1) To the extent the department has available resources and 865
in consultation with boards of alcohol, drug addiction, and mental 866
health services, support a full spectrum of care for all levels of 867
treatment services for opioid and co-occurring drug addiction and 868
a continuum of care for other services in accordance with Chapter 869
340. of the Revised Code on a district or multi-district basis. 870
The department shall define the essential elements of a full 871
spectrum of care for all levels of treatment services for opioid 872
and co-occurring drug addiction and a continuum of care for other 873
services, shall assist in identifying resources, and may 874
prioritize support for one or more of the elements of the 875
continuum of care. The essential elements of a full spectrum of 876
care for all levels of treatment services for opioid and 877
co-occurring drug addiction shall include the services required by 878
division (C) of section 340.09 of the Revised Code. 879

(2) Provide training, consultation, and technical assistance 880
regarding mental health and addiction services and appropriate 881
prevention, recovery, and mental health promotion activities, 882
including those that are culturally competent, to employees of the 883
department, community mental health and addiction services 884

providers, boards of alcohol, drug addiction, and mental health 885
services, and other agencies providing mental health and addiction 886
services; 887

(3) To the extent the department has available resources, 888
promote and support a full range of mental health and addiction 889
services that are available and accessible to all residents of 890
this state, especially for severely mentally disabled children, 891
adolescents, adults, pregnant women, parents, guardians or 892
custodians of children at risk of abuse or neglect, and other 893
special target populations, including racial and ethnic 894
minorities, as determined by the department; 895

(4) Develop standards and measures for evaluating the 896
effectiveness of mental health and addiction services, including 897
services that use methadone treatment, of gambling addiction 898
services, and for increasing the accountability of mental health 899
and alcohol and addiction services providers and of gambling 900
addiction services providers; 901

(5) Design and set criteria for the determination of priority 902
populations; 903

(6) Promote, direct, conduct, and coordinate scientific 904
research, taking ethnic and racial differences into consideration, 905
concerning the causes and prevention of mental illness and 906
addiction, methods of providing effective services and treatment, 907
and means of enhancing the mental health of and recovery from 908
addiction of all residents of this state; 909

(7) Foster the establishment and availability of vocational 910
rehabilitation services and the creation of employment 911
opportunities for consumers of mental health and addiction 912
services, including members of racial and ethnic minorities; 913

(8) Establish a program to protect and promote the rights of 914
persons receiving mental health and addiction services, including 915

the issuance of guidelines on informed consent and other rights; 916

(9) Promote the involvement of persons who are receiving or 917
have received mental health or addiction services, including 918
families and other persons having a close relationship to a person 919
receiving those services, in the planning, evaluation, delivery, 920
and operation of mental health and addiction services; 921

(10) Notify and consult with the relevant constituencies that 922
may be affected by rules, standards, and guidelines issued by the 923
department of mental health and addiction services. These 924
constituencies shall include consumers of mental health and 925
addiction services and their families, and may include public and 926
private providers, employee organizations, and others when 927
appropriate. Whenever the department proposes the adoption, 928
amendment, or rescission of rules under Chapter 119. of the 929
Revised Code, the notification and consultation required by this 930
division shall occur prior to the commencement of proceedings 931
under Chapter 119. The department shall adopt rules under Chapter 932
119. of the Revised Code that establish procedures for the 933
notification and consultation required by this division. 934

(11) Provide consultation to the department of rehabilitation 935
and correction concerning the delivery of mental health and 936
addiction services in state correctional institutions. 937

(12) Promote and coordinate efforts in the provision of 938
alcohol and drug addiction services and of gambling addiction 939
services by other state agencies, as defined in section 1.60 of 940
the Revised Code; courts; hospitals; clinics; physicians in 941
private practice; public health authorities; boards of alcohol, 942
drug addiction, and mental health services; alcohol and drug 943
addiction services providers; law enforcement agencies; gambling 944
addiction services providers; and related groups; 945

(13) Provide to each court of record, and biennially update, 946

a list of the treatment and education programs within that court's jurisdiction that the court may require an offender, sentenced pursuant to section 4511.19 of the Revised Code, to attend;

(14) Make the warning sign described in sections 3313.752, 3345.41, and 3707.50 of the Revised Code available on the department's internet web site;

(15) Provide a program of gambling addiction services on behalf of the state lottery commission, pursuant to an agreement entered into with the director of the commission under division (K) of section 3770.02 of the Revised Code, and provide a program of gambling addiction services on behalf of the Ohio casino control commission, under an agreement entered into with the executive director of the commission under section 3772.062 of the Revised Code. Under Section 6(C)(3) of Article XV, Ohio Constitution, the department may enter into agreements with boards of alcohol, drug addiction, and mental health services, including boards with districts in which a casino facility is not located, and nonprofit organizations to provide gambling addiction services and substance abuse services, and with state institutions of higher education or private nonprofit institutions that possess a certificate of authorization issued under Chapter 1713. of the Revised Code to perform related research.

(B) The department may accept and administer grants from public or private sources for carrying out any of the duties enumerated in this section.

(C) Pursuant to Chapter 119. of the Revised Code, the department shall adopt a rule defining the term "intervention" as it is used in this chapter in connection with alcohol and drug addiction services and in connection with gambling addiction services. The department may adopt other rules as necessary to implement the requirements of this chapter.

Sec. 5119.22. The director of mental health and addiction 978
services with respect to all mental health and addiction 979
facilities and services established and operated or provided under 980
Chapter 340. of the Revised Code, shall do all of the following: 981

(A) Adopt rules pursuant to Chapter 119. of the Revised Code 982
that may be necessary to carry out the purposes of this chapter 983
and Chapters 340. and 5122. of the Revised Code. 984

(B) Review and evaluate the full spectrum of care for all 985
levels of treatment services for opioid and co-occurring drug 986
addiction and the continuum of care for other services in each 987
service district, taking into account the findings and 988
recommendations of the board of alcohol, drug addiction, and 989
mental health services of the district submitted under division 990
(A)(4) of section 340.03 of the Revised Code and the priorities 991
and plans of the department of mental health and addiction 992
services, including the needs of residents of the district 993
currently receiving services in state-operated hospitals, and make 994
recommendations for needed improvements to boards of alcohol, drug 995
addiction, and mental health services; 996

(C) At the director's discretion, provide to boards of 997
alcohol, drug addiction, and mental health services state or 998
federal funds, in addition to those allocated under section 999
5119.23 of the Revised Code, for special programs or projects the 1000
director considers necessary but for which local funds are not 1001
available; 1002

(D) Establish, in consultation with board of alcohol, drug 1003
addiction, and mental health service representatives and after 1004
consideration of the recommendations of the medical director, 1005
guidelines for the development of community mental health and 1006
addiction services plans and the review and approval or 1007
disapproval of such plans submitted pursuant to section 340.03 of 1008

the Revised Code. 1009

(E) Establish criteria by which a board of alcohol, drug 1010
addiction, and mental health services reviews and evaluates the 1011
quality, effectiveness, and efficiency of its contracted services. 1012
The criteria shall include requirements ensuring appropriate 1013
service utilization. The department shall assess a board's 1014
evaluation of services and the compliance of each board with this 1015
section, Chapter 340. of the Revised Code, and other state or 1016
federal law and regulations. The department, in cooperation with 1017
the board, periodically shall review and evaluate the quality, 1018
effectiveness, and efficiency of services provided through each 1019
board. The department shall collect information that is necessary 1020
to perform these functions. 1021

(F) To the extent the director determines necessary and after 1022
consulting with boards of alcohol, drug addiction, and mental 1023
health services and community addiction and mental health services 1024
providers, develop and operate, or contract for the operation of, 1025
a community behavioral health information system or systems. The 1026
department shall specify the information that must be provided by 1027
boards of alcohol, drug addiction, and mental health services and 1028
by community addiction and mental health services providers for 1029
inclusion in the system or systems. 1030

Boards of alcohol, drug addiction, and mental health services 1031
and community addiction and mental health services providers shall 1032
submit information requested by the department in the form and 1033
manner and in accordance with time frames prescribed by the 1034
department. Information collected by the department may include 1035
all of the following: 1036

(1) Information on services provided; 1037

(2) Financial information regarding expenditures of federal, 1038
state, or local funds; 1039

(3) Information about persons served. 1040

The department shall not collect any personal information 1041
from the boards except as required or permitted by state or 1042
federal law for purposes related to payment, health care 1043
operations, program and service evaluation, reporting activities, 1044
research, system administration, and oversight. 1045

(G)(1) Review each board's community mental health and 1046
addiction services plan, budget, and statement of services to be 1047
~~made available~~ submitted pursuant to sections 340.03 and 340.08 of 1048
the Revised Code and approve or disapprove the plan, the budget, 1049
and the statement of services in whole or in part. 1050

The department may withhold all or part of the funds 1051
allocated to a board if it disapproves all or part of a plan, 1052
budget, or statement of services, except that the department shall 1053
withhold all of the funds allocated to the board if the department 1054
disapproves the budget because the budget does not comply with 1055
division (A)(1) of section 340.08 of the Revised Code. Prior to a 1056
final decision to disapprove a plan, budget, or statement of 1057
services, or to withhold funds from a board, a representative of 1058
the director of mental health and addiction services shall meet 1059
with the board and discuss the reason for the action the 1060
department proposes to take and any corrective action that should 1061
be taken to make the plan, budget, or statement of services 1062
acceptable to the department. In addition, the department shall 1063
offer technical assistance to the board to assist it to make the 1064
plan, budget, or statement of services acceptable. The department 1065
shall give the board a reasonable time in which to revise the 1066
plan, budget, or statement of services. The board thereafter shall 1067
submit a revised plan, budget, or statement of services, or a new 1068
plan, budget, or statement of services. 1069

(2) If a board determines that it is necessary to amend the 1070
plan, budget, or statement of services that has been approved 1071

under this section, the board shall submit the proposed amendment 1072
to the department. The department may approve or disapprove all or 1073
part of the amendment. 1074

(3) If the director disapproves of all or part of any 1075
proposed amendment, the director shall provide the board an 1076
opportunity to present its position. The director shall inform the 1077
board of the reasons for the disapproval and of the criteria that 1078
must be met before the proposed amendment may be approved. The 1079
director shall give the board a reasonable time within which to 1080
meet the criteria and shall offer technical assistance to the 1081
board to help it meet the criteria. 1082

(4) The department shall establish procedures for the review 1083
of plans, budgets, and statements of services, and a timetable for 1084
submission and review of plans, budgets, and statements of 1085
services and for corrective action and submission of new or 1086
revised plans, budgets, and statements of services. 1087

Sec. 5119.221. The director of mental health and addiction 1088
services shall adopt rules governing the duties of community 1089
alcohol and drug addiction services providers under section 340.20 1090
of the Revised Code and the duties of boards of alcohol, drug 1091
addiction, and mental health services under section 340.201 of the 1092
Revised Code. The rules shall be adopted in accordance with 1093
Chapter 119. of the Revised Code. 1094

Sec. 5119.222. The department of mental health and addiction 1095
services shall make the reports it receives under section 340.201 1096
of the Revised Code from boards of alcohol, drug addiction, and 1097
mental health services available on the department's web site. The 1098
department's web site shall present the information contained in 1099
the reports on statewide and county-level bases. The information 1100
on the web site shall be updated monthly after the boards submit 1101

new reports to the department. 1102

Sec. 5119.23. (A) The department of mental health and 1103
addiction services shall establish a methodology for allocating to 1104
boards of alcohol, drug addiction, and mental health services the 1105
funds appropriated by the general assembly to the department for 1106
the purpose of the full spectrum of care for all levels of 1107
treatment services for opioid and co-occurring drug addiction and 1108
the continuum of care for other services to be provided as local 1109
mental health and addiction services ~~continuums of care~~. The 1110
department shall establish the methodology after notifying and 1111
consulting with relevant constituencies as required by division 1112
(A)(10) of section 5119.21 of the Revised Code. The methodology 1113
may provide for the funds to be allocated to boards on a district 1114
or multi-district basis. 1115

(B) Subject to section 5119.25 of the Revised Code, and to 1116
required submissions and approvals under section 340.08 of the 1117
Revised Code, the department shall allocate the funds to the 1118
boards in a manner consistent with the methodology, this section, 1119
other state and federal laws, rules, and regulations. 1120

(C) In consultation with boards, community mental health and 1121
addiction services providers, and persons receiving services, the 1122
department shall establish guidelines for the use of funds 1123
allocated and distributed under this section. 1124

Sec. 5119.25. (A) The director of mental health and addiction 1125
services, in whole or in part, may withhold funds otherwise to be 1126
allocated to a board of alcohol, drug addiction, and mental health 1127
services under section 5119.23 of the Revised Code if the board 1128
fails to comply with Chapter 340. or section 5119.22, 5119.24, 1129
5119.36, or 5119.371 of the Revised Code or rules of the 1130
department of mental health and addiction services. However, the 1131

director shall withhold all such funds from the board when 1132
required to do so under division (A)(4) of section 340.08 of the 1133
Revised Code. 1134

(B) The director of mental health and addiction services may 1135
withhold funds otherwise to be allocated to a board of alcohol, 1136
drug addiction, and mental health services under section 5119.23 1137
of the Revised Code if the board denies available service on the 1138
basis of race, color, religion, creed, sex, age, national origin, 1139
disability as defined in section 4112.01 of the Revised Code, or 1140
developmental disability. 1141

(C) The director shall issue a notice identifying the areas 1142
of noncompliance and the action necessary to achieve compliance. 1143
The director may offer technical assistance to the board to 1144
achieve compliance. The board shall have ten days from receipt of 1145
the notice of noncompliance to present its position that it is in 1146
compliance or to submit to the director evidence of corrective 1147
action the board took to achieve compliance. Before withholding 1148
funds, the director or the director's designee shall hold a 1149
hearing within ten days of receipt of the board's position or 1150
evidence to determine if there are continuing violations and that 1151
either assistance is rejected or the board is unable, or has 1152
failed, to achieve compliance. Subsequent to the hearing process, 1153
if it is determined that compliance has not been achieved, the 1154
director may allocate all or part of the withheld funds to a 1155
~~public or private agency~~ one or more community mental health 1156
services providers or community addiction services providers to 1157
provide the community mental health or community addiction service 1158
for which the board is not in compliance until the time that there 1159
is compliance. The director may adopt rules in accordance with 1160
Chapter 119. of the Revised Code to implement this section. 1161

Sec. 5119.34. (A) As used in this section and sections 1162

5119.341 and 5119.342 of the Revised Code:	1163
(1) "Accommodations" means housing, daily meal preparation,	1164
laundry, housekeeping, arranging for transportation, social and	1165
recreational activities, maintenance, security, and other services	1166
that do not constitute personal care services or skilled nursing	1167
care.	1168
(2) "ADAMHS board" means a board of alcohol, drug addiction,	1169
and mental health services.	1170
(3) "Adult" means a person who is eighteen years of age or	1171
older, other than a person described in division (A)(4) of this	1172
section who is between eighteen and twenty-one years of age.	1173
(4) "Child" means a person who is under eighteen years of age	1174
or a person with a mental disability who is under twenty-one years	1175
of age.	1176
(5) "Community mental health services provider" means a	1177
community mental health services provider as defined in section	1178
5119.01 of the Revised Code.	1179
(6) "Community mental health services" means any mental	1180
health services certified by the department pursuant to section	1181
5119.36 of the Revised Code.	1182
(7) "Operator" means the person or persons, firm,	1183
partnership, agency, governing body, association, corporation, or	1184
other entity that is responsible for the administration and	1185
management of a residential facility and that is the applicant for	1186
a residential facility license.	1187
(8) "Personal care services" means services including, but	1188
not limited to, the following:	1189
(a) Assisting residents with activities of daily living;	1190
(b) Assisting residents with self-administration of	1191
medication in accordance with rules adopted under this section;	1192

(c) Preparing special diets, other than complex therapeutic 1193
diets, for residents pursuant to the instructions of a physician 1194
or a licensed dietitian, in accordance with rules adopted under 1195
this section. 1196

"Personal care services" does not include "skilled nursing 1197
care" as defined in section 3721.01 of the Revised Code. A 1198
facility need not provide more than one of the services listed in 1199
division (A)(8) of this section to be considered to be providing 1200
personal care services. 1201

(9) "Residential facility" means a publicly or privately 1202
operated home or facility that provides one of the following: 1203

(a) Accommodations, supervision, personal care services, and 1204
community mental health services for one or more unrelated adults 1205
with mental illness or severe mental disabilities or to one or 1206
more unrelated children and adolescents with a serious emotional 1207
disturbance or who are in need of mental health services who are 1208
referred by or are receiving community mental health services from 1209
a community mental health services provider, hospital, or 1210
practitioner. 1211

(b) Accommodations, supervision, and personal care services 1212
to any of the following: 1213

(i) One or two unrelated persons with mental illness or 1214
persons with severe mental disabilities who are referred by or are 1215
receiving mental health services from a community mental health 1216
services provider, hospital, or practitioner; 1217

(ii) One or two unrelated adults who are receiving 1218
residential state supplement payments; 1219

(iii) Three to sixteen unrelated adults. 1220

(c) Room and board for five or more unrelated adults with 1221
mental illness or severe mental disability who are referred by or 1222

are receiving community mental health services from a community 1223
mental health services provider, hospital, or practitioner. 1224

(10) "Residential facility" does not include any of the 1225
following: 1226

(a) A hospital subject to licensure under section 5119.33 of 1227
the Revised Code; 1228

(b) A residential facility licensed under section 5123.19 of 1229
the Revised Code or otherwise regulated by the department of 1230
developmental disabilities; 1231

(c) An institution or association subject to certification 1232
under section 5103.03 of the Revised Code; 1233

(d) A facility operated by a hospice care program licensed 1234
under section 3712.04 of the Revised Code that is used exclusively 1235
for care of hospice patients; 1236

(e) A nursing home, residential care facility, or home for 1237
the aging as defined in section 3721.02 of the Revised Code; 1238

(f) Alcohol or drug addiction services certified pursuant to 1239
section 5119.36 of the Revised Code; 1240

(g) A facility licensed to provide methadone treatment under 1241
section 5119.391 of the Revised Code; 1242

(h) Any facility that receives funding for operating costs 1243
from the development services agency under any program established 1244
to provide emergency shelter housing or transitional housing for 1245
the homeless; 1246

(i) A terminal care facility for the homeless that has 1247
entered into an agreement with a hospice care program under 1248
section 3712.07 of the Revised Code; 1249

(j) A facility approved by the veterans administration under 1250
section 104(a) of the "Veterans Health Care Amendments of 1983," 1251
97 Stat. 993, 38 U.S.C. 630, as amended, and used exclusively for 1252

the placement and care of veterans;	1253
<u>(k) Recovery housing that a board of alcohol, drug addiction,</u>	1254
<u>and mental health services includes in the full spectrum of care</u>	1255
<u>for all levels of treatment services for opioid and co-occurring</u>	1256
<u>drug addiction under division (C) of section 340.09 of the Revised</u>	1257
<u>Code.</u>	1258
(11) "Room and board" means the provision of sleeping and	1259
living space, meals or meal preparation, laundry services,	1260
housekeeping services, or any combination thereof.	1261
(12) "Residential state supplement" means the program	1262
administered under section 5119.41 of the Revised Code and related	1263
provisions of the Administrative Code under which the state	1264
supplements the supplemental security income payments received by	1265
aged, blind, or disabled adults under Title XVI of the Social	1266
Security Act. Residential state supplement payments are used for	1267
the provision of accommodations, supervision, and personal care	1268
services to supplemental security income recipients the department	1269
of mental health and addition services determines are at risk of	1270
needing institutional care.	1271
(13) "Supervision" means any of the following:	1272
(a) Observing a resident to ensure the resident's health,	1273
safety, and welfare while the resident engages in activities of	1274
daily living or other activities;	1275
(b) Reminding a resident to perform or complete an activity,	1276
such as reminding a resident to engage in personal hygiene or	1277
other self-care activities;	1278
(c) Assisting a resident in making or keeping an appointment.	1279
(14) "Unrelated" means that a resident is not related to the	1280
owner or operator of a residential facility or to the owner's or	1281
operator's spouse as a parent, grandparent, child, stepchild,	1282

grandchild, brother, sister, niece, nephew, aunt, or uncle, or as 1283
the child of an aunt or uncle. 1284

(B) Nothing in division (A)(9) of this section shall be 1285
construed to permit personal care services to be imposed on a 1286
resident who is capable of performing the activity in question 1287
without assistance. 1288

(C) Except in the case of a residential facility described in 1289
division (A)(9)(a) of this section, members of the staff of a 1290
residential facility shall not administer medication to the 1291
facility's residents, but may do any of the following: 1292

(1) Remind a resident when to take medication and watch to 1293
ensure that the resident follows the directions on the container; 1294

(2) Assist a resident in the self-administration of 1295
medication by taking the medication from the locked area where it 1296
is stored, in accordance with rules adopted pursuant to this 1297
section, and handing it to the resident. If the resident is 1298
physically unable to open the container, a staff member may open 1299
the container for the resident. 1300

(3) Assist a physically impaired but mentally alert resident, 1301
such as a resident with arthritis, cerebral palsy, or Parkinson's 1302
disease, in removing oral or topical medication from containers 1303
and in consuming or applying the medication, upon request by or 1304
with the consent of the resident. If a resident is physically 1305
unable to place a dose of medicine to the resident's mouth without 1306
spilling it, a staff member may place the dose in a container and 1307
place the container to the mouth of the resident. 1308

(D)(1) Except as provided in division (D)(2) of this section, 1309
a person operating or seeking to operate a residential facility 1310
shall apply for licensure of the facility to the department of 1311
mental health and addiction services. The application shall be 1312
submitted by the operator. When applying for the license, the 1313

applicant shall pay to the department the application fee 1314
specified in rules adopted under division (K) of this section. The 1315
fee is nonrefundable. 1316

The department shall send a copy of an application to the 1317
ADAMHS board serving the county in which the person operates or 1318
seeks to operate the facility. The ADAMHS board shall review the 1319
application and provide to the department any information about 1320
the applicant or the facility that the board would like the 1321
department to consider in reviewing the application. 1322

(2) A person may not apply for a license to operate a 1323
residential facility if the person is or has been the owner, 1324
operator, or manager of a residential facility for which a license 1325
to operate was revoked or for which renewal of a license was 1326
refused for any reason other than nonpayment of the license 1327
renewal fee, unless both of the following conditions are met: 1328

(a) A period of not less than two years has elapsed since the 1329
date the director of mental health and addiction services issued 1330
the order revoking or refusing to renew the facility's license. 1331

(b) The director's revocation or refusal to renew the license 1332
was not based on an act or omission at the facility that violated 1333
a resident's right to be free from abuse, neglect, or 1334
exploitation. 1335

(E)(1) The department of mental health and addiction services 1336
shall inspect and license the operation of residential facilities. 1337
The department shall consider the past record of the facility and 1338
the applicant or licensee in arriving at its licensure decision. 1339

The department may issue full, probationary, and interim 1340
licenses. A full license shall expire up to three years after the 1341
date of issuance, a probationary license shall expire in a shorter 1342
period of time as specified in rules adopted by the director of 1343
~~mental health~~ mental health and addiction services under division 1344

(K) of this section, and an interim license shall expire ninety 1345
days after the date of issuance. A license may be renewed in 1346
accordance with rules adopted by the director under division (K) 1347
of this section. The renewal application shall be submitted by the 1348
operator. When applying for renewal of a license, the applicant 1349
shall pay to the department the renewal fee specified in rules 1350
adopted under division (K) of this section. The fee is 1351
nonrefundable. 1352

(2) The department may issue an order suspending the 1353
admission of residents to the facility or refuse to issue or renew 1354
and may revoke a license if it finds the facility is not in 1355
compliance with rules adopted by the director pursuant to division 1356
(K) of this section or if any facility operated by the applicant 1357
or licensee has been cited for repeated violations of statutes or 1358
rules during the period of previous licenses. Proceedings 1359
initiated to deny applications for full or probationary licenses 1360
or to revoke such licenses are governed by Chapter 119. of the 1361
Revised Code. 1362

(F) The department may issue an interim license to operate a 1363
residential facility if both of the following conditions are met: 1364

(1) The department determines that the closing of or the need 1365
to remove residents from another residential facility has created 1366
an emergency situation requiring immediate removal of residents 1367
and an insufficient number of licensed beds are available. 1368

(2) The residential facility applying for an interim license 1369
meets standards established for interim licenses in rules adopted 1370
by the director under division (K) of this section. 1371

An interim license shall be valid for ninety days and may be 1372
renewed by the director no more than twice. Proceedings initiated 1373
to deny applications for or to revoke interim licenses under this 1374
division are not subject to Chapter 119. of the Revised Code. 1375

(G)(1) The department of mental health and addiction services	1376
may conduct an inspection of a residential facility as follows:	1377
(a) Prior to issuance of a license for the facility;	1378
(b) Prior to renewal of the license;	1379
(c) To determine whether the facility has completed a plan of	1380
correction required pursuant to division (G)(2) of this section	1381
and corrected deficiencies to the satisfaction of the department	1382
and in compliance with this section and rules adopted pursuant to	1383
it;	1384
(d) Upon complaint by any individual or agency;	1385
(e) At any time the director considers an inspection to be	1386
necessary in order to determine whether the facility is in	1387
compliance with this section and rules adopted pursuant to this	1388
section.	1389
(2) In conducting inspections the department may conduct an	1390
on-site examination and evaluation of the residential facility and	1391
its personnel, activities, and services. The department shall have	1392
access to examine and copy all records, accounts, and any other	1393
documents relating to the operation of the residential facility,	1394
including records pertaining to residents, and shall have access	1395
to the facility in order to conduct interviews with the operator,	1396
staff, and residents. Following each inspection and review, the	1397
department shall complete a report listing any deficiencies, and	1398
including, when appropriate, a time table within which the	1399
operator shall correct the deficiencies. The department may	1400
require the operator to submit a plan of correction describing how	1401
the deficiencies will be corrected.	1402
(H) No person shall do any of the following:	1403
(1) Operate a residential facility unless the facility holds	1404
a valid license;	1405

(2) Violate any of the conditions of licensure after having been granted a license;	1406 1407
(3) Interfere with a state or local official's inspection or investigation of a residential facility;	1408 1409
(4) Violate any of the provisions of this section or any rules adopted pursuant to this section.	1410 1411
(I) The following may enter a residential facility at any time:	1412 1413
(1) Employees designated by the director of mental health and addiction services;	1414 1415
(2) Employees of an ADAMHS board under either of the following circumstances:	1416 1417
(a) When a resident of the facility is receiving services from a community mental health services provider under contract with that ADAMHS board or another ADAMHS board;	1418 1419 1420
(b) When authorized by section 340.05 of the Revised Code.	1421
(3) Employees of a community mental health services provider under either of the following circumstances:	1422 1423
(a) When the services provider has a person receiving services residing in the facility;	1424 1425
(b) When the services provider is acting as an agent of an ADAMHS board other than the board with which it is under contract.	1426 1427
(4) Representatives of the state long-term care ombudsman program when the facility provides accommodations, supervision, and personal care services for three to sixteen unrelated adults or to one or two unrelated adults who are recipients under the residential state supplement program.	1428 1429 1430 1431 1432
The persons specified in division (I) of this section shall be afforded access to examine and copy all records, accounts, and	1433 1434

any other documents relating to the operation of the residential 1435
facility, including records pertaining to residents. 1436

(J) Employees of the department of mental health and 1437
addiction services may enter, for the purpose of investigation, 1438
any institution, residence, facility, or other structure which has 1439
been reported to the department as, or that the department has 1440
reasonable cause to believe is, operating as a residential 1441
facility without a valid license. 1442

(K) The director shall adopt and may amend and rescind rules 1443
pursuant to Chapter 119. of the Revised Code governing the 1444
licensing and operation of residential facilities. The rules shall 1445
establish all of the following: 1446

(1) Minimum standards for the health, safety, adequacy, and 1447
cultural competency of treatment of and services for persons in 1448
residential facilities; 1449

(2) Procedures for the issuance, renewal, or revocation of 1450
the licenses of residential facilities; 1451

(3) Procedures for conducting criminal records checks for 1452
prospective or current operators, employees, and volunteers who 1453
may have direct access to facility residents; 1454

(4) The fee to be paid when applying for a new residential 1455
facility license or renewing the license; 1456

(5) Procedures for the operator of a residential facility to 1457
follow when notifying the ADAMHS board serving the county in which 1458
the facility is located when the facility is serving residents 1459
with mental illness or severe mental disability, including the 1460
circumstances under which the operator is required to make such a 1461
notification; 1462

(6) Procedures for the issuance and termination of orders of 1463
suspension of admission of residents to a residential facility; 1464

(7) Measures to be taken by residential facilities relative to residents' medication;	1465 1466
(8) Requirements relating to preparation of special diets;	1467
(9) The maximum number of residents who may be served in a residential facility;	1468 1469
(10) The rights of residents of residential facilities and procedures to protect such rights;	1470 1471
(11) Procedures for obtaining an affiliation agreement approved by the board between a residential facility and a community mental health services provider;	1472 1473 1474
(12) Standards and procedures under which the director may waive the requirements of any of the rules adopted.	1475 1476
(L)(1) The department may withhold the source of any complaint reported as a violation of this section when the department determines that disclosure could be detrimental to the department's purposes or could jeopardize the investigation. The department may disclose the source of any complaint if the complainant agrees in writing to such disclosure and shall disclose the source upon order by a court of competent jurisdiction.	1477 1478 1479 1480 1481 1482 1483 1484
(2) Any person who makes a complaint under division (L)(1) of this section, or any person who participates in an administrative or judicial proceeding resulting from such a complaint, is immune from civil liability and is not subject to criminal prosecution, other than for perjury, unless the person has acted in bad faith or with malicious purpose.	1485 1486 1487 1488 1489 1490
(M)(1) The director of mental health and addiction services may petition the court of common pleas of the county in which a residential facility is located for an order enjoining any person from operating a residential facility without a license or from	1491 1492 1493 1494

operating a licensed facility when, in the director's judgment, 1495
there is a present danger to the health or safety of any of the 1496
occupants of the facility. The court shall have jurisdiction to 1497
grant such injunctive relief upon a showing that the respondent 1498
named in the petition is operating a facility without a license or 1499
there is a present danger to the health or safety of any residents 1500
of the facility. 1501

(2) When the court grants injunctive relief in the case of a 1502
facility operating without a license, the court shall issue, at a 1503
minimum, an order enjoining the facility from admitting new 1504
residents to the facility and an order requiring the facility to 1505
assist with the safe and orderly relocation of the facility's 1506
residents. 1507

(3) If injunctive relief is granted against a facility for 1508
operating without a license and the facility continues to operate 1509
without a license, the director shall refer the case to the 1510
attorney general for further action. 1511

(N) The director may fine a person for violating division (H) 1512
of this section. The fine shall be five hundred dollars for a 1513
first offense; for each subsequent offense, the fine shall be one 1514
thousand dollars. The director's actions in imposing a fine shall 1515
be taken in accordance with Chapter 119. of the Revised Code. 1516

Sec. 5119.362. (A) The director of mental health and 1517
addiction services shall adopt rules in accordance with Chapter 1518
119. of the Revised Code to do both of the following: 1519

(1) Streamline the intake procedures used by a community 1520
alcohol and drug addiction services provider accepting and 1521
beginning to serve a new patient, including procedures regarding 1522
intake forms and questionnaires; 1523

(2) Enable a community alcohol and drug addiction services 1524

provider to retain a patient as an active patient even though the 1525
patient last received services from the provider more than thirty 1526
days before resumption of services so that the patient and 1527
provider do not have to repeat the intake procedures. 1528

(B) The rules adopted under this section shall do both of the 1529
following: 1530

(1) Model the intake and resumption of service procedures on 1531
such procedures used by primary care physicians; 1532

(2) Facilitate the exchange of information about patients 1533
between community alcohol and drug addiction services providers 1534
and primary care physicians. 1535

Section 2. That existing sections 340.01, 340.03, 340.08, 1536
340.09, 340.15, 5119.01, 5119.21, 5119.22, 5119.23, 5119.25, and 1537
5119.34 of the Revised Code are hereby repealed. 1538

Section 3. Sections 1 and 2 of this act take effect one year 1539
after the effective date of this act. 1540

Section 4. That Section 327.83 of Am. Sub. H.B. 59 of the 1541
130th General Assembly is hereby repealed. 1542

Section 5. (A) As used in this section, "recovery housing" 1543
means recovery housing that a board of alcohol, drug addiction, 1544
and mental health services includes in the full spectrum of care 1545
for all levels of treatment services for opioid and co-occurring 1546
drug addiction under division (C) of section 340.09 of the Revised 1547
Code. 1548

(B)(1) Of the appropriation item 335507, Community Behavioral 1549
Health, in Am. Sub. H.B. 59 of the 130th General Assembly, \$25 1550
million in fiscal year 2015 shall be used as follows: 1551

(a) Subject to divisions (C) and (D) of this section, by the 1552

Department of Mental Health and Addiction Services to provide 1553
state funds to boards of alcohol, drug addiction, and mental 1554
health services for the capital costs of recovery housing; 1555

(b) Subject to division (E) of this section, by the 1556
Department to provide state funds to boards for the first two 1557
years of operating expenses of recovery housing; 1558

(c) \$500,000 shall be used by the Department in accordance 1559
with division (F) of this section. 1560

(2) In providing state funds to boards under this section, 1561
the Department shall prioritize funding for counties that have no 1562
recovery housing on the effective date of this section. 1563

(C) Funding for the capital costs of recovery housing in 1564
Cuyahoga, Franklin, Hamilton, Lucas, Mahoning, Montgomery, Stark, 1565
and Summit counties is subject to the following: 1566

(1) If recovery housing exists in the county on the effective 1567
date of this section, the Department shall pay fifty per cent and 1568
the board serving the county shall pay the other fifty per cent of 1569
the capital costs of additional recovery housing in the county. 1570

(2) If no recovery housing exists in the county on the 1571
effective date of this section, the Department shall pay ninety 1572
per cent and the board serving the county shall pay the remaining 1573
ten per cent of the capital costs of recovery housing in the 1574
county, except that if the board cannot afford to pay ten per 1575
cent, the Department shall pay one hundred per cent of the capital 1576
costs. 1577

(D) In the case of all other counties, the Department shall 1578
pay ninety per cent and the board serving the county shall pay the 1579
remaining ten per cent of the capital costs of recovery housing in 1580
the county, except that if the board cannot afford to pay ten per 1581
cent, the Department shall pay one hundred per cent of the capital 1582
costs. 1583

(E) The Department shall pay ninety per cent of the operating expenses of recovery housing for the first two years that the recovery housing is operated in a county if the Department pays one hundred per cent of the capital costs for the recovery housing.

(F) The Department shall enter into a three-year contract with a nongovernmental organization under which the organization shall organize a network of recovery housing in the state that has all of the following features:

(1) An internet-based database of recovery housing available in the state;

(2) A resource hub for recovery housing providers that assists the providers' development and operation efforts and enables providers to connect with other recovery housing providers in this and other states for the purpose of shared learning;

(3) Quality standards for recovery housing and a peer-review process that uses the standards to endorse individual recovery housing sites;

(4) A system that monitors data that can be used to determine outcomes for recovery housing.

Section 6. All items in this section are hereby appropriated as designated out of any moneys in the state treasury to the credit of the designated fund. For all appropriations made in this act, those in the first column are for fiscal year 2014 and those in the second column are for fiscal year 2015. The appropriations made in this act are in addition to any other appropriations made for the FY 2014-2015 biennium.

Appropriations

DRC DEPARTMENT OF REHABILITATION AND CORRECTION
General Revenue Fund

GRF 501502 Specialty Docket	\$	0	\$ 8,821,800	1613
Staff Payroll Costs				
TOTAL GRF General Revenue Fund	\$	0	\$ 8,821,800	1614
TOTAL ALL BUDGET FUND GROUPS	\$	0	\$ 8,821,800	1615

SPECIALTY DOCKET STAFF PAYROLL COSTS 1616

(A) The foregoing appropriation item 501502, Specialty Docket Staff Payroll Costs, shall be used by the Department of Rehabilitation and Correction to defray a portion of the annual payroll costs associated with the employment of up to two separate and distinct full-time, or full-time equivalent, specialized docket staff members by a court of common pleas, a municipal court, or a county court, including a juvenile or family court that currently has, or anticipates having, a family dependency treatment court that meets all of the eligibility requirements described in division (B) of this section. 1617-1626

(B) To be eligible: 1627

(1) The court must have received Supreme Court of Ohio certification for a specialized docket that targets participants with a drug addiction or dependency; and 1628-1630

(2) Specialized docket staff members must have received training for or education in alcohol and other drug addiction, abuse, and recovery and have demonstrated, prior to or within ninety days of hire, competencies in fundamental alcohol and other drug addiction, abuse, and recovery. Fundamental competencies shall include, at a minimum, an understanding of alcohol and other drug treatment and recovery, how to engage a person in treatment and recovery and an understanding of other health care systems, social service systems, and the criminal justice system; and 1631-1639

(3) Subsequent to that certification, the court must meet any additional criteria that the Supreme Court of Ohio determines are necessary and appropriate to determining funding eligibility, 1640-1642

including the court's adoption and utilization of best practices. 1643

(C) For the purposes of this section, payroll costs include 1644
annual compensation and fringe benefits. 1645

(D) The Department of Rehabilitation and Correction, solely 1646
for the purpose of determining the amount of the state share 1647
available to a court under division (F) of this section for the 1648
employment of up to two separate and distinct full-time, full-time 1649
equivalent, or any combination thereof, specialized docket staff 1650
members, shall use the lesser of: 1651

(1) The actual annual compensation and fringe benefits paid 1652
to those staff members proportionally reflecting their time 1653
allocated for specialized docket duties and responsibilities; or 1654

(2) \$78,000. 1655

(E) In accordance with any applicable rules, guidelines, or 1656
procedures adopted by the Department of Rehabilitation and 1657
Correction pursuant to this section, the county auditor shall 1658
certify, for any court located within that county that is applying 1659
for or receiving funding under this section, to the Department of 1660
Rehabilitation and Correction the information necessary to 1661
determine that court's eligibility for, and the amount of, funding 1662
under this section. 1663

(F) For a specialized docket staff member employed by a court 1664
in this section, the amount of state funding available under this 1665
section shall be sixty-five per cent of the payroll costs 1666
specified in division (D) of this section. This state funding 1667
shall not exceed \$50,700. 1668

(G) The Department of Rehabilitation and Correction shall 1669
disburse this state funding in quarterly installments to the 1670
appropriate county or municipality in which the court is located. 1671

(H) Of the foregoing appropriation item 501502, Specialty 1672

Docket Staff Payroll Costs, the Supreme Court of Ohio shall use up 1673
to one per cent of the appropriation in each fiscal year to pay 1674
the costs it incurs in administering the duties and 1675
responsibilities established in this section. 1676

(I) The Department of Rehabilitation and Correction may adopt 1677
rules, guidelines, and procedures as necessary to carry out the 1678
purposes of this section. 1679

Section 7. Within the limits set forth in this act, the 1680
Director of Budget and Management shall establish accounts 1681
indicating the source and amount of funds for each appropriation 1682
made in this act, and shall determine the form and manner in which 1683
appropriation accounts shall be maintained. Expenditures from 1684
appropriations contained in this act shall be accounted for as 1685
though made in Am. Sub. H.B. 59 of the 130th General Assembly. 1686

The appropriations made in this act are subject to all 1687
provisions of Am. Sub. H.B. 59 of the 130th General Assembly that 1688
are generally applicable to such appropriations. 1689