



## Ohio Revised Code

### Section 5123.701 Application for short-term care.

Effective: October 12, 2016

Legislation: House Bill 158 - 131st General Assembly

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(A) Except as provided in division (D) of this section, any person in the community who is eighteen years of age or older and who is or believes self to be a person with an intellectual disability may make written application to the managing officer of any institution for temporary admission for short-term care. The application may be made on behalf of a minor by a parent or guardian, and on behalf of an adult adjudicated mentally incompetent by a guardian.

(B) For purposes of this section, short-term care shall be defined to mean appropriate services provided to a person with an intellectual disability for no more than fourteen consecutive days and for no more than forty-two days in a fiscal year. When circumstances warrant, the fourteen-day period may be extended at the discretion of the managing officer. Short-term care is provided in a developmental center to meet the family's or caretaker's needs for separation from the person with an intellectual disability.

(C) The managing officer of an institution, with the concurrence of the chief program director, may admit a person for short-term care only after a medical examination has been made of the person and only if the managing officer concludes that the person has an intellectual disability.

(D) A person who is found not guilty by reason of insanity shall not admit self to an institution for short-term care unless a hearing was held regarding the person pursuant to division (A) of section 2945.40 of the Revised Code and either of the following applies:

(1) The person was found at the hearing not to be a person with an intellectual disability subject to institutionalization by court order;

(2) The person was found at the hearing to be a person with an intellectual disability subject to institutionalization by court order, was involuntarily committed, and was finally discharged.

(E) The person with an intellectual disability, liable relatives, and guardians of persons with



intellectual disabilities admitted for respite care shall pay support charges in accordance with sections 5121.01 to 5121.21 of the Revised Code.

(F) At the conclusion of each period of short-term care, the person shall return to the person's family or caretaker. Under no circumstances shall a person admitted for short-term care according to this section remain in the institution after the period of short-term care unless the person is admitted according to section 5123.70, sections 5123.71 to 5123.76, or section 2945.38, 2945.39, 2945.40, 2945.401, or 2945.402 of the Revised Code.