



Ohio Administrative Code Rule 4758-11-03 Confidential, non-disciplinary program.

Effective: July 3, 2023

(A) The board may establish a confidential, non-disciplinary program for the evaluation and treatment of eligible practioners who need assistance with a potential or existing impairment due to substance use disorder or other mental health conditions. This program shall be known as the board's safe haven program.

(B) The board shall contract with one entity, hereafter referred to as the monitoring organization, to conduct the safe haven program. The monitoring organization shall determine the eligibility for participation in the safe haven program and provide associated services to eligible practioners.

(C) Eligible practitioners shall include licensees or certificate holders of the board as well as applicants who have applied for a license or certificate from the board.

(D) Services provided by the monitoring organization include but are not limited to the following:

(1) Screening and/or evaluation for possible impairment due substance use disorder or other mental health conditions.

(2) Referral to treatment providers approved by the monitoring organization for the purpose of evaluating and/or treating impairment.

(3) Establishment of individualized monitoring criteria for a duration determined by the monitoring organization to ensure the continuing care and recovery from impairment.

(4) Case management.

(E) The monitoring organization that contracts with the board to conduct the safe haven program may receive referrals from any of the following:



(1) Applicants, licensees or certificate holders.

(2) Other individuals.

(3) Employers.

(4) Professional societies and associations.

(5) Health care personnel and treatment providers.

(6) Other entities and organizations.

(7) The Ohio Chemical Dependency Professionals Board .

(F) To participate in the safe haven program, an eligible practitioner must enter into an agreement with the monitoring organization to seek assistance for a potential or existing impairment due to substance use disorder or other or mental health conditions. The agreement may specify but is not limited to the following:

(1) Treatment and therapy plan.

(2) Support group participation.

(3) Case management.

(4) Duration of monitoring. Relapses and other failures to comply with the terms of the agreement may result in longer period of monitoring. As appropriate, an addendum to the agreement may be initiated by the monitoring organization.

(5) Approved work activities, including but not limited to abstaining from work while receiving evaluation and/or treatment as well as ongoing monitoring of compliance with any restrictions or limitations specified by the monitoring organization or the board.



(6) Random Toxicology testing.

(7) Releases for seeking information or records related to the practitioners's impairment, including but not limited to family or designated persons, health care personnel, employers, and treatment providers.

(8) Grounds for dismissal from participation in the non-disciplinary, safe haven program for failure to comply with program requirements.

(9) Any required fees assoicated with participation in the non-disciplinary, safe haven program, including but not limited to fees for treatment services and toxicology testing.

(G) The board shall not insitute disciplinary action based on impariment against a safe haven program participant so long as the participant enters into an agreement with the monitoring organization and complies with the same. the presence of impairment shall not excuse acts or preclude investigation or disciplinary action against a participant for other violations of the Chapter or Chapter 4758. of the Revised Code.

(H) The monitoring organization shall report to the board for further investigation and/or action any participant who is unwilling or unable to complete or comply with the confidential, non-disciplinary safe haven program.

(I) All information received and maintained by the monitoring organization shall be held in confidence subject to Section 2317.02 of the Revised Code and in accordance with federal law.