



Ohio Administrative Code

Rule 5120:1-3-02 Licensing requirements for a halfway house or community residential center as a licensed facility.

Effective: April 15, 2019

(A) The division of parole and community services shall be charged with the inspection, supervision and licensing of halfway houses or community residential centers as licensed facilities.

(B) The division of parole and community services shall make annual on-site inspections of halfway houses or community residential centers under contract with the division for the purpose of conducting an audit or site inspection of the facility. Such audits or site inspection shall be scheduled in advance with written notice to the person in charge of the halfway house or community residential center.

(C) During the inspection, auditors employed by the division of parole and community services shall have full access to all areas of a halfway house or community residential center and to all records, including electronically stored record or data, relating to the operation of the facility, including offender files.

(D) The auditors employed by the division of parole and community services shall ascertain compliance with the general and specific halfway house standards set forth in the Administrative Code.

(1) Within thirty days after an audit or a site inspection, the division of parole and community services shall prepare a written report of the results. The report shall describe and include a summary of any findings of noncompliance. The report shall be sent to the person in charge of the halfway house or community residential center.

(2) In addition to the appeal rights granted under section 119.12 of the Revised Code, the division of parole and community services will allow licensed halfway house and community residential center managers to administratively appeal adverse decisions regarding licensure of the halfway house or community residential center. The appeal procedure shall be as follows:



(a) Notification shall be given in writing to the licensed facility of the particulars of such failures or deficiencies:

(b) The licensed facility has the right of a fair hearing during the thirty-day period following notification at which time evidence can be submitted to rebut, clarify, or correct particulars outlined in such notification.

(c) The division of parole and community services shall require the licensed facility to correct these deficiencies within thirty days from notification or to submit an acceptable plan and timetable to remedy these areas.

(3) An appeal of an adverse decision on licensure taken pursuant to paragraph (D)(2) of this rule shall not affect the authority of the division of parole and community services to terminate a contract with a facility at any time pursuant to the terms of the contract.

(4) The scope of the administrative appeal authorized under paragraph (D)(2) of this rule is limited to reviewing an adverse decision on licensure. An appeal may not be taken under paragraph (D)(2) of this rule for the purpose of challenging a decision by the division of parole and community services to terminate a contract with a licensed facility pursuant to the contract's terms or be taken for any other purpose other than reviewing an adverse decision on licensure.

(E) For halfway houses and community residential centers to be licensed, they must comply with the general and specific halfway house standards set forth in the Administrative Code.

(F) The public or private entity operating a licensed facility shall be a legal entity or a part of a legal entity according to the provisions of Chapter 1702. of the Revised Code. The agency shall maintain a copy of the following items:

(1) Articles of incorporation or constitution;

(2) By-laws;

(3) Federal tax identification number;



(4) Federal tax exemption number;

(5) A current list of the board of directors, their occupations, and their addresses.