



Ohio Administrative Code

Rule 4731-28-05 Termination of the participation agreement for the confidential monitoring program.

Effective: August 31, 2018

(A) Upon completion of at least the minimum monitoring term specified in the participation agreement for the confidential monitoring program established in rule 4731-28-02 of the Administrative Code, the individual may submit a written request to the secretary and supervising member of the board requesting termination of the participation agreement. Such request must be accompanied by written documentation from the treating physician overseeing coordination of care for the individual's mental or physical illness indicating whether all of the following criteria are met:

- (1) The individual's condition is currently stable;
- (2) The individual's condition is reasonably expected to remain stable contingent upon the individual maintaining compliance with the treatment plan; and
- (3) The treating physician supports the individual's request for termination of the participation agreement.

(B) The secretary and supervising member of the board shall review the individual's request for termination of the participation agreement and reach a determination as to whether such termination is appropriate. In making such determination, they shall consider all of the following criteria:

- (1) Whether the individual has demonstrated substantial compliance with the participation agreement during the monitoring period;
- (2) The documentation provided by the individual's treating physician related to the termination request;
- (3) Whether additional investigation is necessary, including but not limited to requiring the individual to submit to a board-ordered physical examination and/or mental examination; and



(4) Any other relevant investigative information concerning the individual.

(C) The determination of the secretary and supervising member of the board shall be implemented as follows:

(1) If the secretary and supervising member of the board determine that termination of the participation agreement is appropriate, they shall direct appropriate staff to notify the individual in writing that the request for termination of the participation agreement has been granted. Such termination shall constitute successful completion of the monitoring program by the individual.

(2) If the secretary and supervising member determine that termination of the participation agreement is not appropriate, they shall direct appropriate staff to notify the individual in writing that the request for termination of the participation agreement has been declined. An individual whose request for termination is declined shall continue to be monitored by the board pursuant to the participation agreement for at least an additional six months before being eligible to submit a subsequent request for termination.