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DOCUMENT #540366

Ohio Administrative Code

Rule 5101:2-20-06 The county adult protective services memorandum of understanding.

Effective: November 1, 2026

The purpose of this rule is to outline the county adult protective services (APS) memorandum of understanding (MOU). The MOU will coordinate the efforts of various officials and agencies to promote a unified and effective response to protect vulnerable adults.

(A) What is the purpose of the MOU?

The MOU sets forth the normal operating procedures for officials involved in assessing or investigating adult maltreatment and clarifies the roles and responsibilities of each participating official or agency.

(B) What county agency prepares the MOU?

Each county department of job and family services (CDJFS) will prepare a MOU.

(C) Whose signatures are to be included on the MOU?

(1) The director of the CDJFS.

(2) The director of the designated agency if the CDJFS has entered into an agreement or contract with another entity pursuant to section 5101.652 of the Revised Code.

(3) The county peace officer.

(4) The chief peace officer of the largest municipality in the county.

(5) Other law enforcement officers handling adult maltreatment cases in the county.

(6) The county prosecuting attorney.

(7) The county coroner.

(D) What does the MOU establish?

(1) An interdisciplinary team (I-team) to coordinate efforts related to the prevention, reporting, and treatment of adult maltreatment.

The frequency of (I-team) meetings is at the discretion of the county but should occur at a frequency to build relationships among (I-Team) members and ensure the needs of the county's adult population are being addressed.

(2) The roles and responsibilities for handling referrals by the CDJFS to another agency pursuant to section 5101.64 of the Revised Code.

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(3) The roles and responsibilities for filing criminal charges in adult maltreatment cases.

(E) What other agencies may sign the MOU?

Optional signatures may include representatives from:

(1) The area agency on aging.

(2) The regional long-term care ombudsman program.

(3) Local behavioral health agencies.

(4) The board of health of a city or general health district.

(5) The county board of developmental disabilities.

(6) A victim assistance program.

(7) Local housing authority.

(8) The state medicaid agency.

(9) The emergency management systems.

(10) Local financial institutions.

(11) Any other agency whose participation supports the goals of the MOU.

(F) What is to be included in the MOU?

(1) Signatures from those individuals listed in paragraph (C) of this rule.

(2) A confidentiality statement that includes:

(a) How information is to be shared while protecting the privacy of the client and the family of the client.

(b) The identify of the individual to be notified in the event of a breach or suspected breach of confidentiality.

(c) A provision that the terms of confidentiality remain after the termination or expiration of the agreement.

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(3) A terms and conditions section specifying the MOU's duration and amendment process.

(G) Can the MOU include procedures for after-hours referrals?

The MOU may include the screening procedure to be followed when a referral is received on a day that is not a working day or after business hours on a working day.

(H) What types of signatures can be used for the MOU?

(1) Handwritten signatures.

(2) Electronic signatures which include the following:

(a) A digital signature.

(b) A handwritten signature input from an electronic signature pad or display screen.

(c) A digitized image of a written signature that is attached to an electronic record.

(I) What should the CDJFS do if an official from paragraph (C) of this rule refuses to sign the MOU?

If any official from paragraph (C) of this rule refuses to sign the MOU, the CDJFS is to document the reason(s) for the refusal to sign.

(J) What process is the CDJFS to follow if an amendment to an existing MOU is necessary for any reason?

(1) Complete the amendment within ninety days of the identified need.

(2) Have the amendment signed by all affected parties.

(3) Provide a copy, physical or digital, to all signatories of the MOU.

(K) What are reasons to amend an existing MOU?

(1) Changes in personnel among the signatories of the existing MOU.

(2) Procedural changes to the handling of cases of adult maltreatment.

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(3) Changes to the screening procedure to be followed when a referral is received outside of normal working hours, if this information was included in the existing MOU.

(L) Is there a penalty for failing to follow the guidelines in the MOU?

Failure to follow the guidelines in the MOU is not grounds for, and will not result in, the dismissal of any charge or complaint arising from any report of adult maltreatment. The suppression of any evidence obtained as a result of a report of adult maltreatment does not give any rights or grounds for appeal or post-conviction relief to any person.