



Ohio Administrative Code

Rule 5122-26-14 Provider closing or acquisition.

Effective: August 1, 2026

A provider certified by the department that intends to voluntarily close has certain responsibilities to fulfill with respect to its clients, the department, and boards of alcohol, drug addiction, and mental health services.

(A) Responsibilities to clients

A provider has all of the following responsibilities to fulfill with respect to each client:

- (1) Not less than sixty days before the intended date of closure, the provider is to give each client written notice of the closure and document in the client's record that the notice was given. If the client is a minor, the provider is to send notice to the minor client's parent and the minor in accordance with section 3719.012 of the Revised Code.
- (2) If the client will need ongoing certifiable services or supports after the projected closing date, the provider is to do both of the following:
 - (a) Refer the client to another provider certified or licensed by the department or to an individual who is licensed or certified to provide the needed certifiable services or supports; and
 - (b) Have documentation that shows that the provider or a licensed or certified individual, as described in paragraph (A)(2)(a) of this rule, has accepted the client for admission. This standard is satisfied if there is a case note in the client's record stating the date, time, and place that the client is scheduled for an intake interview with the other provider or licensed or certified individual.

(B) Responsibilities to the department

A provider has all of the following responsibilities to fulfill with respect to the department:

- (1) Not less than sixty days before the intended date of closure, the provider is to give written notice of the closure to the department's office of legal services.
- (2) The provider is to provide to the department any copies of, or access to, books, documents, papers, or other records requested by the department, including records concerning clients.
- (3) The provider is to return any unused government funds to the distributor of the funds and provide to the department a report that specifies all of the following:



5122-26-14

2

- (a) A list of each person or government entity to which the provider returned unused funds, the amount returned, and the date the return occurred;
- (b) A list of all unused materials that were paid for by government funds and a description of the final disposition of such materials; and
- (c) A list of all equipment that was paid for by government funds and a description of the final disposition of such equipment.

(C) Responsibilities to boards of alcohol, drug addiction, and mental health services

A provider has the following responsibilities to fulfill with respect to each board of alcohol, drug addiction, and mental health services of the alcohol, drug addiction, and mental health services districts in which the provider offers certifiable services and supports:

- (1) The provider is to send to the board a copy of each notice sent to a client under paragraph (A)(1) of this rule; and
- (2) In accordance with division (A)(15) of section 5119.28 of the Revised Code, a provider is to transfer to the board any client records it possesses that have not been transferred to another provider. Before effectuating the transfer, the provider is to notify the board of its intent to send the records and receive instructions from the board on the format in which the records are to be sent. In addition, the provider incurs all expenses of effectuating the transfer and storing the records.

(D) Debarment

If a provider fails to comply with this rule, the department may, for a period not exceeding three years, debar the provider from being considered for any contract awards managed or otherwise handled by the department. If the department debars a provider under this rule, the department will notify the directors of administrative services and medicaid of the debarment.