



Ohio Administrative Code Rule 5122-28-02 Applicability.

Effective: August 1, 2026

(A) Statement of applicability

In general, the rules in this chapter apply to any person or government entity that provides or seeks to provide one or more certifiable services or supports, including (1) a person or government entity that operates or seeks to operate an opioid treatment program, (2) a person or government entity that operates or seeks to operate a class one residential facility as defined in section 5119.34 of the Revised Code, and (3) a board of alcohol, drug addiction, and mental health services that is, under section 340.037 of the Revised Code, approved by the director to provide any certifiable service or support. Paragraph (B) of this rule contains the exemptions from that general rule and paragraph (C) of this rule sets forth the specific standard that applies to federally-qualified health centers (FQHCs) and FQHC look-alikes.

A person or government entity to whom this chapter applies is referred to as a "provider."

(B) Exemptions

All of the following are exempt from the provisions of this chapter:

- (1) In accordance with division (B) of section 5119.35 of the Revised Code, an individual who holds a valid license, certificate, or registration issued by this state authorizing the practice of a health care profession that includes the performance of any service that is required to be certified as described in this section, regardless of whether the service is performed as part of a sole proprietorship, partnership, or group practice.
- (2) In accordance with division (B) of section 5119.35 of the Revised Code, an individual who provides any service that is required to be certified as described in this section as part of an employment or contractual relationship with a hospital outpatient clinic that is accredited by an accreditation agency or organization approved by the director of behavioral health.
- (3) A person or government entity where a rule specifically exempts that person or government entity from the rule obligation.

(C) Specific standard applicable to federally-qualified health centers (FQHCs) and federally-qualified health center look-alikes (FQHC look-alikes)

- (1) An FQHC or FQHC look-alike is subject to the rules in this chapter when the FQHC or FQHC look-alike provides or seeks to provide one or more of the following certifiable services or supports as part of the FQHC or FQHC look-alike designation as "out of scope":



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- (a) Mental health day treatment as described in rule 5122-29-06 of the Administrative Code.
- (b) Forensic evaluation service as described in rule 5122-29-07 of the Administrative Code.
- (c) Behavioral health hotline service as described in rule 5122-29-08 of the Administrative Code.
- (d) Residential and withdrawal managements substance use disorder services as described in rule 5122-29-09 of the Administrative Code.
- (e) Substance use disorder qualified residential treatment program (QRTP) for youth as described in rule 5122-29-09.1 of the Administrative Code.
- (f) Crisis intervention service as described in rule 5122-29-10 of the Administrative Code.
- (g) Employment service as described in rule 5122-29-11 of the Administrative Code.
- (h) Driver intervention program as described in rule 5122-29-12 of the Administrative Code.
- (i) SUD case management services as described in rule 5122-29-13 of the Administrative Code.
- (j) Mobile response and stabilization service as described in rule 5122-29-14 of the Administrative Code.
- (k) Peer support services as described in rule 5122-29-15 of the Administrative Code.
- (l) Peer run organization as described in rule 5122-29-16 of the Administrative Code.
- (m) Community psychiatric supportive treatment as described in rule 5122-29-17 of the Administrative Code.
- (n) Therapeutic behavioral health services and psychosocial rehabilitation as described in rule 5122-29-18 of the Administrative Code.
- (o) Prevention services as described in rule 5122-29-20 of the Administrative Code.



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- (p) Supplemental behavioral health services as described in rule 5122-29-27 of the Administrative Code.
 - (q) Intensive home-based treatment (IHBT) service as described in rule 5122-29-28 of the Administrative Code.
 - (r) Assertive community treatment as described in rule 5122-29-29 of the Administrative Code.
- (2) An FQHC or FQHC look-alike is not subject to the rules in this chapter when the FQHC or FQHC look-alike provides or seeks to provide one or more of the following certifiable services or supports as part of the FQHC or FQHC look-alike designation as "in scope, other activities," including the provision of medication-assisted treatment as defined in section 340.01 of the Revised Code and the prescribing of one or more psychotropic drugs as defined in section 5119.19 of the Revised Code:
 - (a) General services as described in rule 5122-29-03 of the Administrative Code.
 - (b) Consultation service as described in rule 5122-29-19 of the Administrative Code.
 - (c) Referral and information service as described in rule 5122-29-22 of the Administrative Code.