



Ohio Administrative Code

Rule 5122-31-19 Resident rights and grievance procedure.

Effective: August 10, 2026

(A) The operator will be responsible for assuring the compliance by the recovery housing residence with all resident rights. Violations of resident rights will be regarded as sufficient cause to institute proceedings to deny or revoke the recovery housing residence's certification.

(B) In addition to the definitions in rule 5122-31-01 of the Administrative Code, the following definitions apply to this rule:

(1) "Grievance" means a written complaint initiated either verbally or in writing by a resident or by any other person or agency on behalf of a resident regarding denial or abuse of any resident's rights.

(2) "Reasonable" means a standard for what is fair and appropriate under usual and ordinary circumstances.

(3) "Resident rights advocate" means the designated recovery housing residence staff member with responsibility for implementing the grievance procedure.

(C) Each recovery housing residence will have all of the following:

(1) A written resident rights policy that lists all of the resident rights identified in this rule;

(2) A written resident grievance procedure that residents can understand and which allows for reasonable accommodation for residents with disabilities;

(3) A policy for maintaining for at least three years from resolution records of resident grievances that include, at a minimum, all of the following:

(a) A copy of the grievance;

(b) Documentation reflecting process used and resolution/remedy of the grievance; and

(c) Documentation, if applicable, of extenuating circumstances for extending the time period for resolving the grievance beyond twenty-one calendar days.

(D) Posting of resident rights

The resident rights policy, the grievance procedure, and the name of the resident rights advocate will be posted in a conspicuous location that is readily accessible to all residents.



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(E) Each resident has all of the following rights:

- (1) The right to be verbally informed of all resident rights in language and terms appropriate for the resident's understanding, prior to or at the time of residency, absent a crisis or emergency.
- (2) The right to request a written copy of all resident rights and the grievance procedure.
- (3) The right to exercise one's own rights without reprisal, except that no right extends so far as to supersede health and safety considerations.
- (4) The right to file a grievance.
- (5) The right to be treated at all times with courtesy and respect, and with consideration for personal dignity, autonomy and privacy.
- (6) The right to receive behavioral health services and/or medical services from a provider of one's own choosing.
- (7) The right to receive support in a clean, safe, comfortable, welcoming, stable, and supportive environment.
- (8) The right to reasonable protection from physical, sexual and emotional abuse, exploitation, and inducement.
- (9) The right to freedom from unnecessary or excessive medication and the right to decline medication.
- (10) The right to be free from restraint or seclusion.
- (11) The right to be advised and the right to refuse observation by others and by techniques such as one-way vision mirrors, tape recorders, video recorders, television, movies, photographs or other audio and visual technology. This right does not prohibit a residence from using closed-circuit monitoring to observe areas in the residence other than bathrooms or sleeping areas or other areas where privacy is reasonably expected.
- (12) The right to confidentiality of communications and personal identifying information within the limitations and requirements for disclosure of resident information under state and federal laws and regulations.
- (13) The right to have access to one's own record or documentation.



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- (14) The right not to be discriminated against on the basis of race, ethnicity, age, color, religion, gender, national origin, sexual orientation, physical or mental disability, developmental disability, genetic information, human immunodeficiency virus status, or in any manner prohibited by local, state or federal laws.
- (15) The right to practice a religion of one's choice or to abstain from the practice of religion.
- (16) The right to be informed in writing of the rates charged by the residence as well as any additional charges and to receive at least thirty days' notice in writing of any change in the rates and charges.
- (17) The right to be informed in writing of who is responsible for paying the rates and to receive thirty days' notice in writing of any changes in payer.
- (18) The right to receive thirty days' prior written notice for termination of residency except in an emergency when the resident presents a documented danger to other residents, staff, visitors, or oneself.
- (19) The right to exercise one's rights under Ohio landlord/tenant laws.
- (20) The right not to be locked out of the residence at any time.
- (21) The right not to be locked in the residence at any time for any reason.
- (22) The right to consult with legal counsel at one's own expense.
- (23) The right to communicate freely with and be visited at reasonable times by a personal physician, psychologist, or other health care providers, except that employees of a board or provider or the personnel of the Ohio protection and advocacy system may visit at any time when permitted by the Revised Code.

The right to communicate includes receiving written communications, which may be opened and inspected by recovery housing residence staff in the presence of the resident recipient so long as the communication is not read by the staff and given immediately to the resident.
- (24) The right to meet with staff from the department of behavioral health in private.
- (25) The right not to be deprived of any legal rights solely by reason of residence in the recovery housing residence.



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(26) The right to personal property and possessions, unless prohibited by house policy.

(27) The right of an adult resident to manage one's own financial affairs and to possess a reasonable sum of money.

(28) The right to use the common areas of the recovery housing residence.

Adult residents will have a right to access common areas at all times.

Children and adolescent household members will have the right to access common areas during routine waking hours in accordance with recovery housing residence expectations, e.g., school attendance, homework, implementation of natural and logical consequences, etc.

(29) The right to engage in or refrain from engaging in activities, unless required by house policy.

(30) The right to meet or communicate with family or guardians, visitors, and guests:

(a) The right of an adult:

(i) To reasonable privacy and the freedom to meet with visitors and guests at reasonable hours so long as it confirms with the house visitor policy.

(ii) To make and/or receive confidential phone calls, including free local calls.

(iii) To write or receive uncensored, unopened correspondence subject to the recovery housing residence's rules regarding contraband.

(31) The right to be free from conflicts of interest; no recovery housing residence employee may be a resident's guardian, custodian, or representative.

(F) Provision of client rights

(1) The owner or operator will explain and maintain documentation in the resident's record an explanation of rights to each person served prior to or when beginning residency.

(2) In a crisis or emergency situation, the provider may verbally advise the resident of at least the immediately pertinent rights only. Full verbal explanation of the resident rights policy will be provided at the first appropriate occasion.



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(3) Explanations of rights will be in a manner appropriate for the person's understanding.

(G) All staff will be trained on and follow the resident rights policy and resident grievance procedure. There will be documentation in each employee's personnel file, including contract staff, volunteers, and student interns, that each staff member has received a copy of the resident rights policy and the resident grievance procedure and has agreed to abide by them.

(H) The resident rights advocate, or designee, will:

(1) Be promptly accessible; and

(2) Have their name, title, location, hours of availability, and telephone number included with the posting of resident rights as required by paragraph (D) of this rule.

(I) The resident grievance procedure will have provisions for at least the following:

(1) A statement to whom the resident is to give the grievance;

(2) The designation of staff who will be available to assist a resident in the filing of a grievance;

(3) A mandate that the grievance is to be in writing; the grievance may be made verbally and the resident rights advocate will be responsible for transcribing the grievance;

(4) A mandate that the written grievance is to be dated and signed by the resident, the individual filing the grievance on behalf of the resident, or have an attestation by the resident rights advocate that the written grievance is a true and accurate representation of the resident's grievance;

(5) Grievances may not be made anonymously, but a grievance procedure will provide a method for confidential submission of grievances. The resident rights advocate will keep such submissions and subsequent investigations confidential;

(6) A mandate that the grievance include, if available, the date, approximate time, description of the incident, and names of individuals involved in the incident or situation being grieved;

(7) A statement that the residence will make a resolution decision on the grievance within twenty-one business days of receipt of the grievance. Any extenuating



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circumstances indicating that this time period will need to be extended is to be documented in the grievance file and written notification given to the resident;

(8) A statement that a resident has the option to file a grievance with outside organizations that include, but are not limited to, the following, with the mailing address and telephone numbers for each stated:

(a) Applicable board for residents receiving behavioral health services;

(b) Department of behavioral health;

(c) Disability rights Ohio;

(d) U.S. department of health and human services office for civil rights and office of inspector general; and

(e) Office of the Ohio inspector general.

(9) A mandate that a written acknowledgment of receipt of the grievance be provided to each grievant. Such acknowledgment will be provided within three business days from receipt of the grievance. The written acknowledgment will include, but not be limited to, the following:

(a) The date the grievance was received;

(b) A summary of the grievance;

(c) An overview of the grievance investigation process;

(d) A timetable for completion of investigation and notification of resolution; and

(e) A housing residence contact name, address, and telephone number.