



Ohio Revised Code

Section 340.05 Complaint alleging abuse or neglect of individual in a residential care facility.

Effective: September 30, 2025

Legislation: House Bill 96 (GA 136), Senate Bill 138 (GA 136)

If a community addiction services provider or community mental health services provider receives a complaint alleging abuse or neglect of an individual with mental illness or severe mental disability, or an individual receiving addiction services, who resides in a residential facility licensed under section 5119.34 of the Revised Code, the provider shall report the complaint to the board of alcohol, drug addiction, and mental health services serving the alcohol, drug addiction, and mental health service district in which the residential facility is located. A board of alcohol, drug addiction, and mental health services that receives a complaint alleging abuse or neglect of an individual with mental illness or severe mental disability or an individual receiving addiction services shall report the complaint to the director of behavioral health for the purpose of the director conducting an investigation under section 5119.34 of the Revised Code. The board may enter the facility with or without the director and, if the health and safety of a resident is in danger, take any necessary action to protect the resident. The board's action shall not violate any resident's rights specified in rules adopted by the department of behavioral health under section 5119.34 of the Revised Code. The board shall promptly report to the director regarding the board's actions under this section.

The Legislative Service Commission presents the text of this section as a composite of the section as amended by multiple acts of the General Assembly. This presentation recognizes the principle stated in R.C. 1.52(B) that amendments are to be harmonized if reasonably capable of simultaneous operation.