



Ohio Revised Code

Section 5119.22 Director of mental health and addiction services; duties.

Effective: September 29, 2013

Legislation: House Bill 59 - 130th General Assembly

The director of mental health and addiction services with respect to all mental health and addiction facilities and services established and operated or provided under Chapter 340. of the Revised Code, shall do all of the following:

(A) Adopt rules pursuant to Chapter 119. of the Revised Code that may be necessary to carry out the purposes of this chapter and Chapters 340. and 5122. of the Revised Code.

(B) Review and evaluate the continuum of care in each service district, taking into account the findings and recommendations of the board of alcohol, drug addiction, and mental health services of the district submitted under division (A)(4) of section 340.03 of the Revised Code and the priorities and plans of the department, including the needs of residents of the district currently receiving services in state-operated hospitals, and make recommendations for needed improvements to boards of alcohol, drug addiction, and mental health services;

(C) At the director's discretion, provide to boards of alcohol, drug addiction, and mental health services state or federal funds, in addition to those allocated under section 5119.23 of the Revised Code, for special programs or projects the director considers necessary but for which local funds are not available;

(D) Establish, in consultation with board of alcohol, drug addiction, and mental health service representatives and after consideration of the recommendations of the medical director, guidelines for the development of community mental health and addiction services plans and the review and approval or disapproval of such plans submitted pursuant to section 340.03 of the Revised Code.

(E) Establish criteria by which a board of alcohol, drug addiction, and mental health services reviews and evaluates the quality, effectiveness, and efficiency of its contracted services. The criteria shall include requirements ensuring appropriate service utilization. The department shall assess a board's evaluation of services and the compliance of each board with this section, Chapter 340. of the



Revised Code, and other state or federal law and regulations. The department, in cooperation with the board, periodically shall review and evaluate the quality, effectiveness, and efficiency of services provided through each board. The department shall collect information that is necessary to perform these functions.

(F) To the extent the director determines necessary and after consulting with boards of alcohol, drug addiction, and mental health services and community addiction and mental health services providers, develop and operate, or contract for the operation of, a community behavioral health information system or systems. The department shall specify the information that must be provided by boards of alcohol, drug addiction, and mental health services and by community addiction and mental health services providers for inclusion in the system or systems.

Boards of alcohol, drug addiction, and mental health services and community addiction and mental health services providers shall submit information requested by the department in the form and manner and in accordance with time frames prescribed by the department. Information collected by the department may include all of the following:

- (1) Information on services provided;
- (2) Financial information regarding expenditures of federal, state, or local funds;
- (3) Information about persons served.

The department shall not collect any personal information from the boards except as required or permitted by state or federal law for purposes related to payment, health care operations, program and service evaluation, reporting activities, research, system administration, and oversight.

(G)(1) Review each board's community mental health and addiction services plan, budget, and statement of services to be made available submitted pursuant to sections 340.03 and 340.08 of the Revised Code and approve or disapprove the plan, the budget, and the statement of services in whole or in part.

The department may withhold all or part of the funds allocated to a board if it disapproves all or part



of a plan, budget, or statement of services. Prior to a final decision to disapprove a plan, budget, or statement of services, or to withhold funds from a board, a representative of the director of mental health and addiction services shall meet with the board and discuss the reason for the action the department proposes to take and any corrective action that should be taken to make the plan, budget, or statement of services acceptable to the department. In addition, the department shall offer technical assistance to the board to assist it to make the plan, budget, or statement of services acceptable. The department shall give the board a reasonable time in which to revise the plan, budget, or statement of services. The board thereafter shall submit a revised plan, budget, or statement of services, or a new plan, budget, or statement of services.

(2) If a board determines that it is necessary to amend the plan, budget, or statement of services that has been approved under this section, the board shall submit the proposed amendment to the department. The department may approve or disapprove all or part of the amendment.

(3) If the director disapproves of all or part of any proposed amendment, the director shall provide the board an opportunity to present its position. The director shall inform the board of the reasons for the disapproval and of the criteria that must be met before the proposed amendment may be approved. The director shall give the board a reasonable time within which to meet the criteria and shall offer technical assistance to the board to help it meet the criteria.

(4) The department shall establish procedures for the review of plans, budgets, and statements of services, and a timetable for submission and review of plans, budgets, and statements of services and for corrective action and submission of new or revised plans, budgets, and statements of services.