



Ohio Revised Code

Section 5119.344

Effective: September 30, 2025

Legislation: House Bill 96

(A) As used in this section, "principal" means an owner, operator, or manager of a class one residential facility.

(B) The department of mental health and addiction services may suspend, without a prior hearing, the license of a class one residential facility that serves children if any of the following occurs:

(1) A child suffers a serious injury or dies while residing in the residential facility.

(2) The department, a public children services agency, or a county department of job and family services determines that a principal, employee, volunteer, or nonresident occupant of the residential facility created a serious risk to the health or safety of a child residing in the facility that resulted in or could have resulted in a child's death or injury.

(3) A principal, employee, resident, volunteer, or nonresident occupant of the facility was charged by an indictment, information, or complaint with an offense relating to the death, injury, or sexual assault of another person that occurred on the premises of the facility.

(4) A principal, employee, volunteer, or nonresident occupant of the facility was charged by an indictment, information, or complaint with an offense relating to the death, injury, or sexual assault of a child residing in the facility.

(5) A public children services agency receives a report pursuant to section 2151.421 of the Revised Code, and the person alleged to have inflicted abuse or neglect on the child, who is the subject of the report, is either of the following:

(a) A principal of the residential facility;

(b) An employee of the residential facility who has not been immediately placed on administrative



leave or released from employment.

(6) The residential facility is not in compliance with the rule, adopted under section 5119.34 of the Revised Code, pertaining to background investigations for owners, operators, employees, and other specified individuals.

(C) In suspending a license under division (B) of this section, the department shall comply with section 119.07 of the Revised Code. The owner of a class one residential facility may request an adjudicatory hearing before the department pursuant to sections 119.06 and 119.12 of the Revised Code. If a hearing is requested and the department does not issue its final adjudication order within one hundred twenty days after the suspension, the suspension is void on the one hundred twenty-first day after the suspension, unless the hearing on the suspension is continued on agreement by the parties or for good cause.

(D) Any summary suspension imposed under this section shall remain in effect until any of the following occurs:

(1) The public children services agency completes its investigation of the report pursuant to section 2151.421 of the Revised Code and determines that all of the allegations are unsubstantiated.

(2) All criminal charges are disposed of through dismissal or a finding of not guilty.

(3) The department issues, pursuant to Chapter 119. of the Revised Code, a final order terminating the suspension.

(E) A class one residential facility serving children shall not have children placed in the facility while a summary suspension remains in effect. Upon the issuance of the order of suspension, the department shall place a hold on the license or indicate that the license is suspended in Ohio's statewide automated child welfare information system.

(F) The director of mental health and addiction services may adopt rules in accordance with Chapter 119. of the Revised Code establishing standards and procedures for the summary suspension of licenses.



(G) This section does not limit the authority of the department to take other action, such as issuing an order suspending the admission of residents to a residential facility, refusing to issue or renew a license for a facility, or revoking a facility's license under section 5119.34 of the Revised Code.