



Ohio Revised Code Section 5123.092 Citizen's advisory council.

Effective: October 17, 2019

Legislation: House Bill 166 - 133rd General Assembly

(A) There is hereby established at each institution and branch institution under the control of the department of developmental disabilities a citizen's advisory council. Each council shall consist of seven members, including parents or other relatives of residents of institutions under the control of the department, community leaders, professional persons in relevant fields, and persons who have an interest in or knowledge of developmental disabilities. The managing officer of the institution shall be a nonvoting member of the council.

(B) The director of developmental disabilities shall be the appointing authority for the voting members of each citizen's advisory council. Each time the term of a voting member expires, the managing officer of the institution with which the council is associated shall recommend to the director one or more persons to serve on the council. The director may accept a nominee of the managing officer or reject the nominee or nominees. If the director rejects the nominee or nominees, the managing officer shall further recommend to the director one or more other persons to serve on the council. This procedure shall continue until a member is appointed to the council.

Terms of office shall be for three years, each term ending on the same day of the same month of the year as did the term which it succeeds. No member shall serve more than two consecutive terms, except that any former member may be appointed if one year or longer has elapsed since the member served two consecutive terms. Each member shall hold office from the date of appointment until the end of the term for which the member was appointed. Any vacancy shall be filled in the same manner in which the original appointment was made, and the appointee to a vacancy in an unexpired term shall serve the balance of the term of the original appointee. Any member shall continue in office subsequent to the expiration date of the member's term until the member's successor takes office, or until a period of sixty days has elapsed, whichever occurs first.

(C) Each citizen's advisory council shall elect from its appointed members a chairperson, vice-chairperson, and secretary. A person elected to an office may serve in that position until the person is no longer a member of the council.



(D) Members of a citizen's advisory council shall be expected to attend all meetings of the council. A majority of the members constitutes a quorum.

A citizen's advisory council shall meet six times annually, or more frequently if three members request the chairperson to call a meeting. The council shall keep minutes of each meeting and shall submit them to the managing officer of the institution with which the council is associated.

(E) Members of citizen's advisory councils shall receive no compensation for their services, except that they shall be reimbursed for their actual and necessary expenses incurred in the performance of their official duties by the institution with which they are associated from funds allocated to it, provided that reimbursement for those expenses shall not exceed limits imposed upon the department of developmental disabilities by administrative rules regulating travel within this state.

(F) The councils shall have reasonable access to all patient treatment and living areas and records of the institution, except those records of a strictly personal or confidential nature. The councils shall have access to a patient's personal records with the consent of the patient or the patient's legal guardian or, if the patient is a minor, with the consent of the parent or legal guardian of the patient.

(G) As used in this section, "branch institution" means a facility that is located apart from an institution and is under the control of the managing officer of the institution.