
Executive

MHACD3 Confidentiality of substance use disorder records**R.C. 5119.27**

Modifies existing requirements for maintaining confidentiality of records or information regarding drug treatment programs and services that are licensed or certified by the Ohio Department of Mental Health and Addiction Services (OhioMHAS) and, in their place, establishes confidentiality requirements based on federal law for records or information regarding federally assisted programs for substance use disorder treatment.

Requires the disclosure of any confidential information comply with the applicable federal regulations.

Updates associated provisions that refer to programs used within the criminal justice system.

Fiscal effect: None.

MHACD2 Suspending admissions at hospitals for mentally ill persons**R.C. 5119.33**

Authorizes the Director of OhioMHAS to suspend the admission of patients to a hospital for mentally ill persons, without an opportunity for a hearing under the Administrative Procedure Act, if the Director determines that the licensee has demonstrated a pattern of serious noncompliance or that a violation creates a substantial risk to the health and safety of patients.

Specifies a process for appeals when a suspension of admissions is issued without a hearing.

Authorizes OhioMHAS, in relation to the following proceedings, to take action against a hospital regardless of whether some or all of the deficiencies that prompted the proceedings have been corrected: suspending admissions; denying license applications; refusing to renew a license; and revoking a license.

Specifies that OhioMHAS cannot grant an opportunity to submit a plan of correction when it issues an order suspending admissions or when it denies, refuses to renew, or revokes a hospital's license.

Fiscal effect: Any impact will depend on the number of violations or noncompliance issues, as well as the actions taken.

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MHACD1 Suspending admissions at residential facilities**R.C. 5119.34**

Authorizes the Director of OhioMHAS to suspend the admission of residents to a residential facility without an opportunity for a hearing under the Administrative Procedure Act if the Director determines that the licensee has demonstrated a pattern of serious noncompliance or that a violation creates a substantial risk to the health and safety of residents.

Specifies a process for appeals when an admissions suspension is issued without a prior hearing.

Authorizes OhioMHAS, in relation to the following proceedings, to take action regardless of whether some or all of the deficiencies that prompted the proceedings have been corrected: suspending admissions; denying license applications; refusing to renew a license; and revoking a license.

Specifies that OhioMHAS cannot grant an opportunity to submit a plan of correction when it issues an order suspending admissions or when it denies, refuses to renew, or revokes a residential facility license.

Fiscal effect: Any impact will depend on the number of violations or noncompliance issues, as well as the actions taken.

MHACD22 Disciplinary procedures for certifiable services and supports**R.C. 5119.36, 5119.99**

Specifies reasons the Director of OhioMHAS may refuse to certify, refuse to renew certification, and revoke certification services and supports provided by community mental health or addiction services providers.

Eliminates requirements that the Director of OhioMHAS (1) identify areas of noncompliance if the Director determines an applicant's certifiable services and supports do not satisfy certification standards and (2) provide applicants with reasonable time to demonstrate compliance with standards.

Specifies that proceedings to deny, refuse to renew, or revoke certifications are governed by the Administrative Procedure Act.

Provides that OhioMHAS cannot grant an opportunity for submitting a plan of correction when it issues an order suspending admissions or when it denies, refuses to renew, or revokes certification.

Fiscal effect: Any impact will depend on the number of potential disciplinary procedures.

Executive**MHACD23 Suspending admissions for community addiction services providers****R.C. 5119.36, 5119.99**

Specifies that proceedings to suspend admissions to a community addiction services provider that provides overnight accommodations are governed by the Administrative Procedure Act, but permits admissions to be suspended without an adjudication if the OhioMHAS Director determines there has been a pattern of serious noncompliance or a violation creates a substantial risk to the health and safety of patients.

Fiscal effect: Any impact depends on the number of such proceedings and the actions taken.

MHACD4 Prevention and Wellness**Section: 337.20**

Makes the following earmarks in GRF appropriation item 336406, Prevention and Wellness, in each fiscal year:

- (1) Up to \$1,250,000 to be distributed to alcohol, drug addiction, and mental health services (ADAMHS) boards to purchase the provision of evidence-based prevention services from OhioMHAS-certified providers.
- (2) Up to \$500,000 to be used to support suicide prevention efforts.
- (3) Up to \$2,250,000 to be used to increase access to early identification of behavioral health disorders.

MHACD5 Mental Health Facilities Lease Rental Bond Payments**Section: 337.30**

Requires GRF line item 336415, Mental Health Facilities Lease Rental Bond Payments, to be used to meet all payments during the period from July 1, 2021, through June 30, 2023, by OhioMHAS under leases and agreements made under R.C. 154.20.

MHACD6 Continuum of care services**Section: 337.40**

Specifies the following regarding GRF appropriation item 336421, Continuum of Care Services:

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- (1) Requires a portion be allocated to ADAMHS boards in accordance with a distribution methodology determined by the Director of OhioMHAS for the boards to purchase mental health and addiction services permitted under Chapter 340. of the Revised Code. Permits boards to use a portion of the funds allocated to provide:
- (a) Subsidized support for psychotropic medication needs of indigent citizens in the community to reduce unnecessary hospitalization due to lack of medication; and
 - (b) Subsidized support for medication-assisted treatment costs.
- (2) Permits a portion to be distributed to ADAMHS boards, community addiction and/or mental health services providers, courts, or other governmental entities to provide specific grants in support of initiatives concerning mental health and addiction services.
- (3) Earmarks \$1,500,000 in each fiscal year be allocated to ADAMHS boards to establish and administer six mental health crisis stabilization centers, or with approval from the Director of OhioMHAS, the funds may be used in conjunction with funds from DPF Fund 5TZ0 appropriation item 336600 to establish and administer crisis stabilization centers that meet certain specifications (see MHACD15). Requires one center be located in each state psychiatric hospital region. Requires that each center established or administered comply with certain requirements. Requires ADAMHS boards to submit a plan to OhioMHAS for approval regarding the establishment of any stabilization centers.
- (4) Earmarks up to \$5,500,000 in each fiscal year to be used to develop a strategic approach to strengthening cross-systems collaboration efforts to serve adults with serious mental illness who are involved in multiple behavioral health, health, human services, and criminal justice systems.
- (5) Earmarks up to \$2,500,000 in each fiscal year to be used to develop, evaluate, and expand crisis services infrastructure to provide support for adults, children, and families in a variety of settings.
- (6) Earmarks up to \$475,000 in each fiscal year to be used to support the operation of a statewide, twenty-four-hour, seven-days-a-week, behavioral health support line.

MHACD7 Criminal Justice Services**Section: 337.50**

Requires GRF appropriation item 336422, Criminal Justice Services, be used to provide forensic psychiatric evaluations to courts of common pleas and to conduct evaluations of patients of forensic status in facilities operated or designated by OhioMHAS prior to conditional release to the community. Permits a portion of item 336422 to be allocated through ADAMHS boards to community addiction and/or mental health services providers in accordance with a distribution methodology as determined by the Director of OhioMHAS.

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Earmarks up to \$3,000,000 in each fiscal year in GRF appropriation item 336422, Criminal Justice Services, to be allocated to the Psychotropic Drug Reimbursement Program established in R.C. 5119.19. Requires the Director of OhioMHAS, on July 1, 2022 or as soon as possible thereafter, to certify to the Director of OBM, the unexpended, unencumbered balance of the earmark at the end of FY 2022. Reappropriates the amount for FY 2023 for the same purpose.

Permits GRF appropriation item 336422 to also be used to do any of the following: provide forensic monitoring and tracking of individuals on conditional release; provide forensic training; support projects to identify and develop alternative services to incarceration for nonviolent mentally ill offenders; provide specialized re-entry services to offenders leaving prisons and jails; provide specific grants; support therapeutic communities; support specialty dockets and expand or create new certified court programs; and establish and administer outpatient competency restoration services.

MHACD8 Substance use disorder treatment in Specialized Docket Programs**Section: 337.60**

Requires OhioMHAS to conduct a program to provide substance use disorder treatment, which may include medication-assisted treatment (MAT) and recovery supports, to persons who are eligible to participate in a MAT drug court program, and are selected under this section to be participants in a MAT drug court program because of a substance use disorder.

Requires OhioMHAS to conduct its program in collaboration with any counties in Ohio that are conducting MAT drug court programs.

Allows OhioMHAS to conduct its program in collaboration with any other court conducting a MAT drug court program.

Requires OhioMHAS to collaborate with the Supreme Court, the Department of Rehabilitation and Correction, and any agency that OhioMHAS determines may be of assistance in the program's objectives. Allows OhioMHAS to collaborate with ADAMHS boards and local law enforcement agencies that serve the counties of a participating court.

Requires a participating MAT drug court program to select persons to participate. Requires a person selected to be a criminal offender or involved in a drug or dependency court. Prohibits a person from being selected unless the person meets the legal and clinical eligibility criteria for the MAT drug court program and is an active participant in the program or unless the offender is under a community control sanction with the program's participating judge.

Requires a program participant to comply with all MAT drug court program requirements.

Requires treatment and supports to be provided by a community addiction services provider and specifies provider duties. Specifies conditions under which MAT may be used.

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Requires the Medicaid Director, in collaboration with major Ohio health care plans, to develop plans consistent with the implementation of the program. Specifies what these plans should ensure and specifies that there are to be no step therapies or prior authorization for MAT program participants.

Earmarks \$5,000,000 in each fiscal year in GRF appropriation item 336422, Criminal Justice Services, be used to support substance use disorder treatment, including MAT and recovery supports for drug court specialized docket programs and to support the administrative expenses of participating courts and community addiction services providers.

MHACD9 Recovery Housing**Section: 337.70**

Requires GRF appropriation item 336424, Recovery Housing, be used to expand and support access to recovery housing.

Requires, for expenditures that are capital in nature, OhioMHAS to develop procedures to administer these funds in a manner that is consistent with current community capital assistance guidelines.

MHACD10 Specialized Docket Support**Section: 337.80**

Requires GRF appropriation item 336425, Specialized Docket Support, be used to defray a portion of the annual payroll costs associated with the specialized docket of a common pleas court, municipal court, county court, juvenile court, or family court that meets all specified eligibility requirements.

Permits GRF appropriation item 336425, Specialized Docket Support, to be used to defray costs associated with treatment services and recovery supports for participants.

Requires a specialized docket to have received Supreme Court of Ohio initial or final certification and include participants with behavioral health needs in its target population.

Requires OhioMHAS to use up to one per cent in each fiscal year of GRF appropriation item 336425, Specialized Docket Support, to pay the cost it incurs in administering the duties required by the docket program.

Permits OhioMHAS, in consultation with the Supreme Court of Ohio, to adopt funding distribution methodology, guidelines, and procedures as necessary to carry out the docket program.

Executive**MHACD11 Community Innovations****Section: 337.90**

Permits GRF appropriation item 336504, Community Innovations, to be used by OhioMHAS to make targeted investments in programs, projects, or systems operated by or under the authority of other state agencies, governmental entities, or private not-for-profit agencies that impact, or are impacted by, the operations and functions of OhioMHAS, with the goal of achieving a net reduction in expenditure of GRF funds and/or improved outcomes for Ohio citizens without a net increase in GRF spending.

Requires the Director of OhioMHAS to identify and evaluate programs, projects, or systems proposed or operated outside of OhioMHAS' authority, where targeted investment of funds is expected to decrease demand for OhioMHAS or other resources funded from GRF, and/or to measurably improve outcomes for Ohio citizens with mental illness or with alcohol, drug, or gambling addictions.

Grants the Director of OhioMHAS discretion to transfer money from GRF appropriation item 336504, Community Innovations, to other state agencies or entities in amounts determined to achieve state savings and/or improved outcomes.

Requires OhioMHAS to enter into an agreement with each recipient receiving funds and specifies what information is to be identified in the agreement.

Earmarks up to \$6,000,000 in each fiscal year in GRF appropriation item 336504, Community Innovations, to be used for operating expenses that result in improved quality of life for adults with severe mental illness living in class two and class three residential facilities.

Earmarks up to \$4,000,000 in each fiscal year in GRF appropriation item 336504, Community Innovations, to be used to provide funding for community projects across the state and that focus on support for families, assisting families in avoiding crisis, and crisis intervention.

Earmarks up to \$3,500,000 in each fiscal year in GRF appropriation item 336504, Community Innovations, to be used to support workforce development initiatives.

Earmarks up to \$1,500,000 in each fiscal year in GRF appropriation item 336504, Community Innovations, to be used to improve behavioral health outcomes for racial and ethnic minorities.

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MHACD12 Residential State Supplement**Section: 337.100**

Permits GRF appropriation item 336510, Residential State Supplement, to be used to provide training and other supports for residential facilities providing accommodations, supervision, and personal care services to three to 16 unrelated adults with mental illness and to make payments to Residential State Supplement recipients.

Requires OhioMHAS to adopt rules establishing eligibility criteria and payment amounts regarding the Residential State Supplement program.

MHACD13 Early Childhood Mental Health Counselors and Consultation**Section: 337.110**

Requires GRF appropriation item 336511, Early Childhood Mental Health Counselors and Consultation, to be used to promote identification and intervention for early childhood mental health and to enhance healthy social emotional development in order to reduce preschool to third grade classroom expulsions.

Requires funds to be used to support early childhood mental health credentialed counselors and consultation services, as well as administration and workforce development.

MHACD14 Medicaid Support**Section: 337.120**

Requires GRF appropriation item 652321, Medicaid Support, to be used to fund specified Medicaid services as delegated by the Ohio Department of Medicaid.

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MHACD15 Substance Abuse Stabilization Centers**Section: 337.130**

Requires DPF Fund 5TZ0 appropriation item 336600, Substance Abuse Stabilization Centers, to be used to establish and administer, in collaboration with other boards that serve the same state psychiatric hospital region, substance use disorder stabilization centers or if approved by the Director of OhioMHAS, permits funds to be used in conjunction with GRF appropriation item 336421 to establish and administer crisis stabilization centers that meet specified criteria (see MHACD6). Requires one center to be located in each state psychiatric hospital region.

Requires ADAMHS boards to submit a plan for approval to OhioMHAS addressing the establishment and administration of crisis stabilization centers.

MHACD16 ADAMHS boards**Section: 337.140**

Specifies that following regarding DPF Fund 5TZ0 appropriation item 336643, ADAMHS Boards:

- (1) Earmarks \$5,000,000 in each fiscal year be allocated to ADAMHS boards by first providing \$50,000 per county in the board's district and distributing the remainder based on a formula developed by the Director of OhioMHAS.
- (2) Earmarks up to \$6,000,000 in each fiscal year to be used to fund a continuum of crisis stabilization and crisis prevention services and supports to allow individuals to be served in the least restrictive setting.

Requires ADAMHS boards to submit a plan for approval to OhioMHAS addressing the establishment and administration of crisis services.

MHACD17 Problem Gambling and Casino Addiction**Section: 337.150**

Requires a portion of DPF Fund 5JL0 appropriation item 336629, Problem Gambling and Casino Addiction, be allocated to ADAMHS boards in accordance with a methodology determined by the Director of OhioMHAS.

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MHACD18 Family and Children First flexible funding pool**Section: 337.160**

Permits a county family and children first council to establish and operate a flexible funding pool to assure access to needed services by families, children, and older adults in need of protective services. Specifies the restrictions governing the flexible funding pools.

MHACD19 Access Success II Program**Section: 337.170**

Permits the Director of OBM, to the extent cash is available, to transfer cash from a fund designated by the Medicaid Director to the Sale of Goods and Services Fund (Fund 1490). Appropriates any transferred cash.

Requires the transferred funds to be used to administer the Access Success II Program to help non-Medicaid patients in hospitals established, controlled, or supervised by OhioMHAS to transition from inpatient status to a community setting.

MHACD20 Indigent Drivers Alcohol Treatment Fund cash transfer**Section: 337.180**

Requires, on a schedule determined by the Director of OBM, the Director of OhioMHAS to certify the amount of excess license reinstatement fees that are available to be transferred from the Indigent Drivers Alcohol Treatment Fund (Fund 7049) to the Statewide Treatment and Prevention Fund (Fund 4750). Permits, upon certification, the Director of OBM to transfer cash from Fund 7049 to Fund 4750.

MHACD21 Transcranial Magnetic Stimulation Program**Section: 337.190**

Requires GRF appropriation item 336515, Transcranial Magnetic Stimulation Program, to be used for the Transcranial Magnetic Stimulation Program for veterans with substance use disorders or mental illness as described in R.C. 5902.09.

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OBMCD42 GRF transfer to Statewide Treatment and Prevention Fund (Fund 4750)

Section: 512.20

Authorizes the Director of OBM, in each fiscal year, to transfer up to \$5,000,000 cash from the GRF to the Statewide Treatment and Prevention Fund (Fund 4750).

OBMCD43 GRF transfer to Targeted Addiction Program Fund (Fund 5TZ0)

Section: 512.40

Authorizes the Director of OBM, in each fiscal year, to transfer up to \$23,750,000 cash from the GRF to the Targeted Addiction Program Fund (Fund 5TZ0).
