

Ohio Department of Mental Health

Policy Statement on Common Sense Business Regulation

Executive Order 2008-04S “Implementing Common Sense Business Regulation,” paragraph 5 (f) provides as follows:

“Agencies should when appropriate waive penalties for first-time or isolated paperwork or procedural regulatory non-compliance. Each cabinet agency, board and commission shall prepare and publish on its website a policy describing the circumstances in which such waivers shall be granted.”

In accordance with EO 2008-04S and HB 285, the Department of Mental Health’s goal is to assure that its regulated customers have the opportunity to achieve compliance with its regulations. In order to foster this goal, when an entity regulated by the Department commits an initial or isolated minor, procedural regulatory or paperwork violation, it is the Department’s policy to either require a “Plan of Correction”, which shall describe both the actions to be taken and a timeframe for correction of the noncompliance, or provide a warning letter. A penalty will generally not be imposed for such violations unless the Director determines the violation poses actual or potential harm to mental health consumers, or poses a danger to the general public.