

**5122-33-03 License application and renewal procedures.**

- (A) An adult family home or adult group home shall not accept ~~more than two~~ residents before receiving its license to operate.
- (B) A person seeking a license to operate an adult care facility shall submit to the director an application, on a form prescribed and provided by the director, which shall include the following items:
- (1) A statement of ownership containing the following information:
    - (a) If the owner is an individual, his or her name, address, telephone number, business address, business telephone number, and occupation. If the owner is an association, corporation, or partnership, the business activity, address, and telephone number of the entity and the name of every person who has an ownership interest of five per cent or more in the entity;
    - (b) If the owner does not own the building or if he or she owns only part of the building in which the facility is housed, the name of each person who has an ownership interest of five per cent or more in the building;
    - (c) The name and address of any adult care facility and any facility described in ~~divisions (A)(9)(a) to (A)(9)(i) of section 5119.70~~ 5119.34 of the Revised Code and paragraphs ~~(D)(E)~~(1) to ~~(D)(11)~~(E)(10) of rule 5122-33-01 of the Administrative Code in which the owner has an ownership interest of five per cent or more;
    - (d) The identity of the manager of the adult care facility, if different from the owner;
    - (e) The name and address of any adult care facility and any facility described in ~~divisions (A)(9)(a) to (A)(9)(i) of section 5119.70~~ 5119.34 of the Revised Code and paragraphs ~~(D)(E)~~(1) to ~~(D)(11)~~(E)(10) of rule 5122-33-01 of the Administrative Code with which either the owner or manager has been affiliated through ownership or employment in the five years prior to the date of the application;
    - (f) The names, addresses, and telephone numbers of three persons not employed by or associated in business with the owner who will provide information about the character, reputation, and competence of the owner and the manager and the financial responsibility of the owner;
    - (g) Information about any arrest of the owner or manager for, or adjudication or conviction of, a criminal offense related to the provision of care in an adult care facility or any facility described in ~~divisions (A)(9)(a) to (A)(9)(i) of section 5119.70~~ 5119.34 of the Revised Code and paragraphs ~~(D)(E)~~(1) to ~~(D)(11)~~(E)(10) of rule 5122-33-01 of the Administrative Code or the ability to operate a facility; and
    - (h) Any other information the director may require regarding the owner's ability to operate the facility including, but not limited to, the names, ages, and work hours of staff members, including the manager; the manager's training and educational background and work experience; the number of residents; and identification of previous or current licenses or similar approvals held;
  - (2) If the facility is an adult group home, a balance sheet showing the assets and liabilities of the owner and a statement projecting revenues and expenses for the first twelve months of the facility's operation;
  - (3) A statement regarding the facility's intended bed capacity; whether or not the facility will provide

accommodations to persons referred by or receiving service from a mental health board or agency; if the facility intends to seek arrangement through the ADAMHS board to serve the mentally ill; and total number of resident beds anticipated to be occupied by those referred residents; and

(4) Evidence and documentation of all applicable inspections, approvals, permits, and licenses required by rules 5122-33-09, 5122-33-10, and 5122-33-11 of the Administrative Code.

(C) A person seeking renewal of an adult care facility license shall submit to the director an application for renewal, on a form prescribed and provided by the director, which shall include the following items:

(1) The name, address, and telephone number of the facility;

(2) The type of facility for which the applicant is seeking license renewal;

(3) The number of residents residing in the facility and the maximum occupancy of the facility as of the date the applicant submits the application for renewal;

(4) Any changes to the information required by paragraph (B) of this rule, unless the department was notified of the changes under paragraph (A) of rule 5122-33-08 of the Administrative Code;

(5) Copies of documentation of any inspections, permits, or approvals that may be required by rules 5122-33-09, 5122-33-10, and 5122-33-11 of the Administrative Code since the facility's most recent license was issued;

(6) If the facility is an adult group home, a balance sheet showing the current assets and liabilities of the owner; and

(7) Any other information the director may require regarding the owner's ability to operate the facility.

(D) An application for licensure or license renewal shall be accompanied by the following:

(1) A non-refundable license application fee of twenty-five dollars for an adult family home or fifty dollars for an adult group home in the form of a cashier's check or a postal money order payable to the "Treasurer, State of Ohio."; and

(2) A statement signed by the individual submitting the application, and included in the application, certifying that, to the best of his or her knowledge, the information in the application and any accompanying material is true and accurate. If a representative signs the statement, he or she shall include documentation that he or she is the authorized representative of the owner.

(3) A statement of attestation signed by the manager certifying compliance with ~~Chapter 3701-13~~ [rule 5122-33-28](#) of the Administrative Code.

(E) The applicant shall submit any additional information requested by the director within sixty days of the director's request. The director may invalidate the application and deny licensing if the applicant fails to submit requested information within sixty days of the director's request.

(F) No person may apply for a license to operate an adult care facility if that person is or has been the owner or manager of an adult care facility that has had a previous license to operate revoked or denied renewal for any reason other than nonpayment of the license fee unless:

(1) A minimum period of twenty-four months has passed from the date of the director of health's order revoking or denying renewal of the facility's previous license; and

(2) The licensure revocation or non-renewal was not due to any act or omission that violated the resident's right to be free from abuse, neglect, or exploitation.