



## RULE MEMORANDUM

Date: August 7, 2014

To: Interested Constituents

From: Howard Henry, Staff Counsel

Subject: Proposed Rule Amendments for:

- **Chapter 5122-29 Requirements and Procedures for Mental Health Services Provided by Agencies**

The Ohio Department of Mental Health and Addiction Services (OhioMHAS) is proposing the following Ohio Administrative Code rule actions. Please review these draft proposed rule actions and provide any comments you may have **by August 28, 2014**. **Comments will automatically be forwarded to the Common Sense Initiative Office.**

Pursuant to the requirements of EO 2011-01K and Senate Bill 2 of the 129th General Assembly, which requires state agencies, including OhioMHAS, to draft rules in collaboration with stakeholders, assess and justify any adverse impact on the business community (as defined by SB2), and provide opportunity for the affected public to provide input on the rules.

OhioMHAS is proposing to amend the employment service rule, 5122-29-11, in order to provide a guideline for employment services for Ohioans with a severe and persistent mental illness and/or co-occurring substance use disorder. It would define acceptable evidence based and best practices along with appropriate services for this population. The proposed rule actions are listed below.

Due to the way the rule has been restructured, the amendments exceeded the threshold for amending a rule. As a consequence the rule is being rescinded and replaced with a new rule.

The rules have been submitted to the CSI office for review; and comments regarding the rules can be submitted through the link on the OhioMHAS website. Comments submitted through the link will be sent to OhioMHAS and the CSI office. Comments may be sent directly to [CSIPublicComments@governor.ohio.gov](mailto:CSIPublicComments@governor.ohio.gov) or [MH-SOT-rules@mha.ohio.gov](mailto:MH-SOT-rules@mha.ohio.gov).

### **Chapter Name**

<b>Rule Number</b>	<b>Title</b>	<b>New, Amended, No Change or Rescinded Rule</b>	<b>Summary of Major Proposed Changes/Rule Subject</b>
5122-29-11	Employment service.	<ul style="list-style-type: none"><li>• Rescind/New</li></ul>	<ul style="list-style-type: none"><li>• (A) has been expanded to provide more details on the goal of the</li></ul>



Promoting wellness and recovery

John R. Kasich, Governor • Tracy J. Plouck, Director • 30 E. Broad St. • Columbus, OH 43215 • (614) 466-2596 • mha.ohio.gov

			<p>employment service.</p> <ul style="list-style-type: none"> <li>• (B) is a list of employment activities a provider shall choose from when providing the employment service. However, a provider may provide an unlisted activity with preapproval from OhioMHAS.</li> <li>• (C) is a list of employment supports that a provider may provide in addition to employment activities. However, a provider may provide an unlisted activity with preapproval from OhioMHAS.</li> <li>• (D) is the IPS employment program. This paragraph sets the requirements for regular fidelity reviews and minimum scores from those reviews.</li> <li>• (E) requires that service staff are qualified as set forth in OAC 5122-29-30.</li> </ul>
--	--	--	---