

*****DRAFT - NOT FOR FILING*****

5122-30-09 Maximum resident and household capacity.

- (A) The department shall determine the maximum number of residents and the maximum number of household members for which each facility shall be licensed and shall state the maximum number on the license issued to the facility. The maximum number of residents shall not exceed the number of residents as specified on the license.
- (B) The maximum number of residents and household members for which a facility is licensed shall be based on ~~resident sleeping space, living space, adequate toilet, lavatory, and bathing facilities~~ the requirements set forth in ~~accordance with~~ rule 5122-30-14 of the Administrative Code.
- ~~(C) The maximum number of household members shall be based on the amount of living space and adequate toilet, lavatory, and bathing facilities for all household members in accordance with rule 5122-30-14 of the Administrative Code. The maximum number of household members refers to all persons living in the facility including residents, and others, including but not limited to: the operator, staff, family, and friends.~~
- ~~(D)~~ (C) Type Class 2 and 3 facilities shall notify the ~~affiliating agency~~ department, in writing, and receive approval, prior to allowing any additional person(s) to reside in the facility for more than twenty-four hours if the facility will exceed the maximum number of household members identified on the license.
- ~~Null A residential facility shall not accept any person who does not meet written admission criteria as specified in paragraph (M)(2)(e) of rule 5122-30-04 of the Administrative Code.~~
- ~~(E)~~ (D) No residential facility serving children/adolescents residents shall ~~admit~~ accept ~~adults~~ adult residents, nor shall any residential facility serving ~~adults~~ adult residents ~~accept~~ children/adolescents residents.