

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

**5122-25-05 Provisions of certification.**

~~(A) (A) The department may issue one of three types of certificates to an agency, based upon its findings per paragraphs (C) to (F) of rule 5122-25-04 of the Administrative Code:~~

~~(1) (1) A probationary certificate, which shall replace a full certificate during the term of probation, and which shall expire within one hundred twenty days of the date of issuance, to be used when:~~

~~(a) (a) Serious deficiencies are found during the department's determination of an agency's compliance with the certification standards; or~~

~~(b) (b) The agency's documented corrective action(s) is not approved by the department.~~

~~(2) (2) An interim certificate, which shall expire within ninety days after the date of issuance, to be used for emergency certification purposes or administrative reasons as determined by the department.~~

~~(3) (3) A full certificate specifying the term of certification, which shall be three calendar years from the date of issuance by the department. This certificate shall remain in effect until it is renewed, terminated or revoked. It shall automatically terminate sixty days after the department notifies the agency of its failure to file an application for certification.~~

~~(a) (a) The department shall issue a full certificate within thirty days of:~~

~~(i) (i) Receipt of complete application materials; or~~

~~(ii) (ii) Receipt of an acceptable plan of correction, as determined by ODMH, for an initial or renewal certification; or.~~

(A) A provider seeking its first certification in one or more of the services identified below shall either have appropriate behavioral health or hospital accreditation as defined by rule 5122-25-02 of the Administrative Code, or provide the service a minimum of two months to at least ten different clients, prior to submitting an application for certification. At least five clients shall be active at the time of the certification survey.

(1) Behavioral health counseling and therapy service as defined in rule 5122-29-03 of the Administrative Code;

(2) Mental health assessment service as defined in rule 5122-29-04 of the Administrative Code;

(3) Pharmacologic management service as defined in rule 5122-29-05 of the Administrative Code;

(4) Partial hospitalization service as defined in rule 5122-29-06 of the Administrative Code;

(5) Crisis intervention mental health service as defined in rule 5122-29-10 of the Administrative Code;

(6) Community psychiatric supportive treatment (CPST) service as defined in rule 5122-29-17 of the Administrative Code;

(7) Intensive home based treatment (IHBT) service as defined in rule 5122-29-28 of the Administrative Code;

(8) Assertive community treatment (ACT) service as defined in rule 5122-29-29 of the Administrative Code;

~~(8) (9) Outpatient treatment program as defined in rule 5122-29-34 of the Administrative Code;~~

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~~(9)~~(10) Sub-acute detoxification as defined in rule 5122-29-37 of the Administrative Code; or,

~~(10)~~(11) Prevention services as defined in rule 5122-29-20 of the Administrative Code.

(B) The department may issue one of three types of certificates to a provider, based upon its determination pursuant to either rule 5122-25-03 or rule 5122-25-04 of the Administrative Code:

(1) A conditional certificate, which shall replace a full certificate during the term of probation, and which shall expire within one hundred twenty days of the date of issuance, to be used when:

(a) Serious deficiencies are found during the department's determination of a provider's compliance with the certification standards; or

(b) The provider's documented corrective action is not approved by the department.

(2) An interim certificate, which shall expire within ninety days after the date of issuance, to be used for emergency certification purposes or administrative reasons as determined by the department.

(3) A full certificate specifying the term of certification, which shall not exceed three calendar years from the date of issuance by the department. This certificate shall remain in effect until it is renewed, terminated or revoked. It shall automatically terminate sixty days after the department notifies the provider of its failure to file an application for certification. The department shall issue a full certificate within thirty days of:

(a) Receipt of complete and compliant application materials; or

(b) Receipt of an acceptable plan of correction, as determined by the department.

~~(B)~~(C) A ~~probationary~~conditional, interim and full certificate is renewable, except that an interim certificate may be renewed only twice.

~~(C)~~(D) The certificate is valid only for the specified services. ~~shall be site specific to each service and is not transferable to any other agency, agency site, building, corporation, or other entity.~~

~~(D)~~(D) The agency shall notify the department immediately of any services, sites and/or activities added or closed/terminated since the most recent certification.

~~(E) An agency's certification extends to all services for which it is certified, and at all locations for which it is certified to provide services.~~A certificate is valid only at the locations specified on the certificate. A provider may provide any certified mental health service, alcohol and other drug (AoD) outpatient treatment, and AoD prevention services at any location listed on the provider's certificate. A provider's certification for AoD residential treatment in accordance with rule 5122-29-36 of the Administrative Code, acute, sub-acute or ambulatory detoxification in accordance with rule 5122-29-37 of the Administrative Code, and driver intervention program in accordance with Chapter 5122-29 of the Administrative Code is site specific and is limited to the site on the certificate.

(F) A certificate is not transferable to any other location, provider site, building, corporation or other entity.

(G) A provider shall produce the certificate for review upon request of a client or the department.

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(H) A provider shall immediately notify the department and the applicable alcohol and drug addiction services board or alcohol, drug addiction and mental health services board in writing of any changes in its operations that affect the provider's continued compliance with the department's certification requirements.