

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

**5122-26-02      Applicability.**

~~The provisions of the rules contained in this chapter are applicable to each agency subject to certification by the department.~~

(A) The provisions of the rules contained in this chapter are applicable to each provider:

(1) Providing mental health and addiction services that are funded by, or funding is being sought from:

(a) The Ohio medicaid program for community mental health or community addiction services.

(b) A board of alcohol, drug addiction, and mental health services.

(c) Federal or department block grant funding for certified services.

Any service contact provided by a provider that is paid for by the Ohio medicaid program for community mental health or community addiction services, or in whole or in part by any community mental health board of alcohol, drug addiction, and mental health service or federal or department block grant funding shall be subject to the provisions of this chapter.

(2) Subject to department certification as a driver intervention program according to section 5119.38 of the Revised Code.

~~(4)~~(3) That voluntarily request certification.

(B) These rules do not diminish or enhance the authority of community mental health boards of alcohol, drug addiction, and mental health services to administer the community mental health or addiction treatment system pursuant to the Ohio Revised Code, and applicable federal law.