Chapter 5122-30 Residential Rules  
Q & A 11/14/2017

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Webinar Housekeeping

How To Participate in Today's Webinar
1. Use your computer speakers or telephone for audio
2. Download and/or print the handout from your control panel
3. Use your control panel to submit questions in writing

What will NOT be covered Today
1. Will not identify how a particular rule is different from current ACF, Type 1, Type 2, Type 3, AFoH rules
Webinar Housekeeping

Can multiple staff watch the webinar together under one registration?
• Yes, unless each needs to receive credit for attending training.

Who should participate today:
• Type 1, Type 2, Type 3, ACF, Adult Foster Home providers
  • Currently licensed
  • Interested in obtaining licensure
• Interested stakeholders
  • Community ADAMH/MHRS Boards
  • Other stakeholders

Are These Rules Applicable to Certified SUD Residential Providers:
• NO!

Can I receive CEU Credit for my SW, Nurse, etc. License?
• No.

Ohio
Promoting Wellness and Recovery

Q & A
License Expiration Dates

How long is a license good for?
- Class One is issued for 3 years
- Class Two and Class Three are issued for 2 years.

I will be a Class One Facility. Will I receive a replacement license extending my current license from 2 years to 3 years?
- No. When you renew your current license, it will be issued for 3 years.

Renewal Applications

Does MHAS send reminder e-mails?
- MHAS is working to develop an automated system, but is not able to do so at this time.

When is my renewal application due?
- The date varies by license type under current rules. Effective 1/1/2018, all applications are due at least 90 days prior to the expiration date.

Which application should I submit for my renewal that expires on or before 12/31/17?
- The current application for your facility type.
Renewal Application Due Date

Which application should I submit for my renewal that expires in January or February, 2018?

- You may submit the current application, or wait for the new application to be posted, even if this means that your renewal application will not be submitted “in time”, if applicable.
- Please submit the renewal application by December 4, 2017 if you are currently required to submit it at least ninety days before the expiration of your current license.
- If you have already submitted your renewal application, DO NOT submit another one.

Operate Other Businesses in the Facility

Can I operate another business in the facility?

- You must request and obtain MHAS approval before conducting any “for-profit activity”.
- You must request and obtain MHAS approval before allowing any business to operate out of the facility.
- This includes baby-sitting services, and renting rooms to non-relatives.
MHAS Staff Access to the Facility

Do MHAS staff have the right to access the locked basement storage area that residents are not allowed to enter?
- Yes, MHAS has access to all areas of the facility “as it deems necessary and appropriate”

Do MHAS staff have the right to access the private living areas of the Operator?
- Yes, MHAS has access to all areas of the facility “as it deems necessary and appropriate”

Residents vs Household Members

My brother lives with me? Is he now part of the resident census?
- No, your brother cannot be a resident. He is, by definition, a household member.

I have guardianship of my mother. Can she be a resident?
- No. She can live in the facility as a household member, but cannot be a resident. She cannot share a bedroom with another resident.
How often do I need to obtain inspections AFTER initial licensure?

- Fire – every 12 months
- Water and Sewer (if applicable) – every 12 months
- Food Service License (if applicable) – in accordance with the license expiration
- Electrical (5 or fewer residents) – with building alterations or modifications, if required.
- Heating and cooling (unless have certificate of occupancy) – within 12 months of filing renewal application, and with heating/cooling system alterations and modifications.

How often do I need to obtain inspections AFTER initial licensure?

- Certificate of Occupancy (6 or more residents) - with building alterations or modifications, if required. NEW – may also now receive a “Certificate of Completion” following alterations or modifications.
- Boiler (if applicable) – as required by state law/inspector
- Elevator (if applicable) – as required by state law
Inspections

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Inspections

My local fire department does not have a certified fire inspector. How do I obtain an inspection?

- Contact the Department of Commerce, Division of the State Fire Marshall at 614.752.8200, 888-252-0803 or websfm@com.state.oh.us

I am unable to obtain a certificate of occupancy from my local building department. How do I obtain one?

- Contact the Department of Commerce, Division of Industrial Compliance, at 614.644.2223 or IC@com.state.oh.us
Inspections

My neighbor tells me he is a certified electrical inspector and will conduct my inspection for free. Is this permissible?
- Yes, if you confirm he/she is certified.

Inspections

How do I locate a certified electrical inspector (or confirm someone is a certified contractor)?
- [http://com.ohio.gov/default.aspx](http://com.ohio.gov/default.aspx)
- Locate the “Look it Up” box
- For contractors, select the Ohio Construction Industry Licensing Board as the Category, then select the desired information as the item (Licensee information Companies or Contractors).
- For electrical inspectors, select the BBS as the Category, then select “Certifications-Personnel”, then select “Electrical Safety Inspectors”
- Building inspectors is currently not available on this website – ask individual for verification.
My neighbor tells me he is a certified inspector and will conduct my inspection for free. Is this permissible?

- Yes, if you confirm he/she is certified.

How do I locate a certified inspector?
Sprinkler Systems

When do I need a sprinkler system ("Automatic Fire Extinguishing System")?
- One or more non-ambulatory residents.

Do I need a sprinkler system if I have 9 or more residents?
- No. You need a combined smoke detector and fire alarm system, but are not required to have a sprinkler system.

Sprinkler Systems

What if my area cannot support a sprinkler system?
- MHAS is not aware of any area in the state that does not have the capability to have a sprinkler system installed.
Hospice Patients

Are we allowed to admit residents receiving hospice services from a hospice provider not associated with the facility?

- Yes, with no limitations (Class One)
- Yes, as long as the hospice care will not exceed the limitations in the rule as to the amount of skilled care (Class Two)
- Yes, with no limitations (Class Three)

My resident of 7 years has been diagnosed with a terminal illness and needs hospice care? Must I discharge him/her?

- No. However, you must be mindful of the limits of the skilled care requirements.

Hospice Patients

My resident was born with “palms up” and is diabetic? Can we assist him with a finger stick?

MHAS has not found any rule that prohibits providing this assistance in this limited circumstance. The resident would need to assess his own needs for administering insulin.
Refrigerators

Must a Class One Facility allow residents access to the refrigerator?
- No.

Training Requirements

Will MHAS make some of the training requirements available on-line, such as personal care services, orientation for persons with mental illness, resident rights, rules compliance?
- Webinars will remain on-line as long as relevant.
- MHAS is trying to identify resources to make additional trainings available on-line, such as personal care services.
- Free trainings are available through the e-based academy
  - [http://www.ebasedacademy.org/lms/](http://www.ebasedacademy.org/lms/)
Can we use a training video to train staff on assistance with self-administration of medication?

- Yes, if presented by a physician, RN or other MHAS approved entity.

Our facility staff were not previously required to obtain CPR training? What is the deadline for the new rules?

- MHAS will allow until July 1, 2018, or the time of your renewal, whichever comes first.

Will MHAS “grandfather” staff who were not previously required to have training, i.e. exempt them from receiving the required training?

- No. MHAS will allow until July 1, 2018, or the time of your renewal, whichever comes first.
**Medical Assessments**

If my Class One facility was unable to obtain an assessment prior to admitting a resident, but we employ staff qualified to conduct assessments. Can our staff conduct the assessment when the resident is placed?

- Yes.

**What is required to be included in a medical assessment?**

- Up to the judgement of the medical professional conducting the assessment.
- Class Two Facility – must include resident’s capability for self-administration of medication, and the type of assistance required if any.

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**BCI & FBI**

**What BCI code should I have applicants employees use for the BCI Check?**

- 3721.121 are acceptable (Class Two and Class Three)
- Class One should use appropriate codes based upon other requirements (children, adults, etc). When in doubt, check with your lead surveyor.

- **Do I have to repeat BCI/FBI for all staff prior to January 1, 2018?**
- No. Repeat on same schedule of at least every 5 years.
Database Checks – Background Check

Can my facility use Ohio’s Automated Registry Check System (ARCS) operated by the Ohio Department of Medicaid in place of conducting six different database checks on applicants and staff?
- Yes, if permitted by the Ohio Department of Medicaid

Change In License Type

What is the impact of my license type changing from an (ACF to Class Two), (Type 1 to Class One), etc.?
- The change in license type itself is a change in nomenclature.
- All current license types have to implement some new requirements. This is typical any time a state agency updates rules.
ADAMH/CMH/MHRS Board

Why does my Class One facility have to notify the Board of the placement of a mental health client.
- Boards have rights and responsibilities under the revised and administrative code for residents receiving residential services in their area.

Do I have to use a HIPAA identifier when notifying the Board?
- Consult with your facility’s legal counsel

Incident Reporting

Do I have to submit a six month incident report if there is no incidents to report?
- Yes, but only IF you are required to submit a six month report. Most facilities are not required to submit a six month report.
**Staffing Requirements**

When am I required to have staff in the facility?
- **Class One**
  - When residents are present in the facility
- **Class Three**
  - No specified requirements. As needed.

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**Staffing Requirements**

When am I required to have staff in the facility?
- **Class Two**
  - Children – always, unless approved by guardian
  - When specified in the resident agreement
  - Facility locked and one or more residents are not provided a key
  - Minimum one hour after residents take medication
When am I required to have staff in the facility?
- Class Two
  - One or more resident:
    - Requires assistance with walking, moving, bathing, toileting, dressing, or eating
    - Requires ongoing supervision
    - Non-ambulatory
    - Prescribed PRN med

How often do we have to repeat TB tests for staff and residents?
- Staff – likelihood of exposure
- Residents – no requirement for TB
Medication

Can a family hire someone to repackagemedication?
- No.

Where Can I Find All of the New Rules?

Prior Webinars and Powerpoints

How do I access prior webinars and powerpoints?

Are both the powerpoint and recorded webinars available?
- Yes

I did not receive a certificate of attendance?
- MHAS does not issue those. We do have records of attendance

Where Can I Find All of the New Rules?
Where Can I Find All of the New Rules?

[Image of a computer screen with a list of new rules]

Where Can I Find All of the New Rules?

[Image of a computer screen with a list of new rules]
Questions

Thank you for participating today and in all the past webinars!

- Janel.Pequignot@mha.ohio.gov
- For future questions, each facility has an assigned lead surveyor, who can also answer questions.