
DEPARTMENT OF ALCOHOL AND DRUG ADDICTION SERVICES (ADA)

- Excludes funds for community alcohol and drug addiction services that the General Assembly appropriates to the Ohio Department of Alcohol and Drug Addiction Services (ODADAS) and are transferred to the Ohio Department of Job and Family Services (ODJFS) for the Medicaid program from the funds that ODADAS allocates and distributes to the alcohol, drug addiction, and mental health services (ADAMHS) boards for such services.
- Eliminates the responsibility of ODADAS and ADAMHS boards to pay the nonfederal share for services provided under a component of the Medicaid program that ODADAS administers and makes ODJFS responsible for paying for such services effective July 1, 2012.
- Requires ODADAS, notwithstanding ODJFS's new responsibility, to allocate to ADAMHS boards alcohol and drug addiction Medicaid match funds and a portion of statewide treatment and prevention funds appropriated to ODADAS for fiscal year 2012 and requires the boards to use the funds to pay claims for community alcohol and drug addiction services provided during that fiscal year under the ODADAS-administered Medicaid component and requires the boards also to use all federal financial participation that ODADAS receives for claims for such services as the first payment source to pay such claims.
- Requires ODADAS to enter into an agreement with each ADAMHS board regarding the issue of paying claims that are for community alcohol and drug addiction services provided before July 1, 2011, and submitted for payment on or after that date and requires that such claims be paid in accordance with the agreements.
- Provides for an ADAMHS board to receive the federal financial participation received for claims for community alcohol and drug addiction services that were provided before July 1, 2011, and paid by the board.
- Requires ODADAS to accept from an alcohol and drug addiction program its accreditation from specified national accrediting organizations as evidence that the program satisfies Ohio's standards for state certification of the program, if ODADAS determines that the program's accreditation is current and appropriate for the services for which the program is seeking certification, and specifies that the program is generally not subject to further evaluation.



- Requires the ODADAS Director and Director of Mental Health, with respect to residential facilities and community behavioral health services, to coordinate documentation requirements, streamline standards, and promote the integration of behavioral and physical health services.
- Requires that the portion of the fee persons pay to have a driver's or commercial driver's license or permit reinstated that is credited to the Statewide Treatment and Prevention Fund be used for purposes identified in ODADAS's comprehensive statewide alcohol and drug addiction services plan rather than to pay the costs of driver treatment and intervention programs.

Medicaid elevation for alcohol and drug addiction services

(R.C. 3793.04, 3793.21, 5111.911, and 5111.913; Section 215.20)

The act revises the law governing allocation and distribution of Ohio Department of Alcohol and Drug Addiction Services (ODADAS) money to alcohol, drug addiction, and mental health services (ADAMHS) boards. ODADAS is required by continuing law to develop a comprehensive statewide alcohol and drug addiction services plan. Prior law required that the plan provide for the allocation of state and federal funds for services furnished by alcohol and drug addiction programs under contract with ADAMHS boards and for distribution of the funds to ADAMHS boards. The act requires ODADAS to provide for the allocation and distribution of funds appropriated to ODADAS by the General Assembly for such services. ODADAS must exclude from the allocation and distribution any funds that are transferred to the Ohio Department of Job and Family Services (ODJFS) to pay the nonfederal share of alcohol and drug addiction services covered by the Medicaid program.

Under prior law, ODADAS and ADAMHS boards were responsible for paying the nonfederal share of any Medicaid payment for services provided under a component of the Medicaid program that ODADAS administers on ODJFS's behalf. The act makes ODJFS responsible for the payments. If necessary, the ODJFS Director must submit a Medicaid state plan amendment to the U.S. Secretary of Health and Human Services regarding ODJFS's responsibility.

Notwithstanding ODJFS's new responsibility, the act requires ODADAS to allocate to ADAMHS boards alcohol and drug addiction Medicaid match funds and a portion of statewide treatment and prevention funds appropriated to ODADAS for fiscal year 2012 and requires the boards to use the funds to pay claims for community alcohol and drug addiction services provided during that fiscal year under the

Medicaid component that ODADAS administers. The boards are also required to use all federal financial participation that ODADAS receives for claims for such services as the first payment source to pay such claims. The act provides that the boards are not required to use any other funds to pay for such claims.

The act requires ODADAS to enter into an agreement with each ADAMHS board regarding the issue of paying claims that are for community alcohol and drug addiction services provided before July 1, 2011, and submitted for payment on or after that date. The claims must be paid in accordance with the agreements. A board is to receive the federal financial participation received for claims for community alcohol and drug addiction services that were provided before July 1, 2011, and paid by the board.

Certification of alcohol and drug addiction programs

(R.C. 3793.061 (primary) and 3793.06)

Each alcohol and drug addiction program is required under continuing law to apply to ODADAS for certification. To receive certification under law retained in part by the act, a program must meet the minimum standards established by ODADAS.

In lieu of a determination by ODADAS of whether an alcohol and drug addiction program satisfies the minimum standards for certification, the act requires ODADAS to accept appropriate accreditation of an applicant's services as evidence that the applicant satisfies the standards for certification. Acceptance of accreditation applies to an applicant's alcohol and other drug addiction services, integrated mental health and alcohol and other drug addiction services, or integrated alcohol and other drug addiction services and physical health services.

Requirements for acceptance of accreditation

For an applicant's accreditation to be accepted under the act, the following requirements apply:

(1) The applicant must hold accreditation from one of the following national accrediting organizations: the Joint Commission, the Commission on Accreditation of Rehabilitation Facilities, or the Council on Accreditation;

(2) The accreditation must be for services being provided in Ohio;

(3) ODADAS must determine that the accreditation is current and is appropriate for the program for which the applicant is seeking certification;

(4) The applicant must meet any other requirements established in rules to be adopted under the act.



If ODADAS determines that the applicant meets these requirements, the act requires ODADAS to certify the program. The act specifies that the certification is to be issued without further evaluation of the program, except for any visit or evaluation otherwise authorized by the act. The same process of accepting accreditation of a program applies to ODADAS when the program seeks recertification.

Review of accrediting organizations

The act authorizes ODADAS to review the national accrediting organizations listed above to evaluate whether the accreditation standards and processes used by the organizations are consistent with service delivery models ODADAS considers appropriate for alcohol and other drug addiction services, physical health services, or both. ODADAS may communicate to an accrediting organization any identified concerns, trends, needs, and recommendations.

Visiting or evaluating programs for cause

ODADAS is authorized by the act to visit or otherwise evaluate an alcohol and drug addiction program at any time based on cause. Reasons include complaints made by or on behalf of consumers and confirmed or alleged deficiencies brought to the attention of ODADAS.

Notifications and reports from programs

Under the act, ODADAS must require an alcohol and drug addiction program to provide notice not later than ten days after any change in the program's accreditation status. The program is permitted to notify ODADAS by providing a copy of the relevant document the program received from the accrediting organization.

Under the act, ODADAS must require an alcohol and drug addiction program to submit reports of major unusual incidents. The act authorizes ODADAS to require a program to submit cost reports pertaining to the program.

Rules

The act requires ODADAS to adopt rules to implement the act's provisions regarding the acceptance of an alcohol and drug addiction program's accreditation for purposes of state certification. The rules must be adopted in accordance with the Administrative Procedure Act (R.C. Chapter 119.). In adopting the rules, ODADAS must do all of the following:

(1) Specify the documentation that must be submitted as evidence of holding appropriate accreditation;

(2) Establish a process by which ODADAS may review the accreditation standards and processes used by the national accrediting organizations;

(3) Specify the circumstances under which reports of major unusual incidents and program cost reports must be submitted to ODADAS;

(4) Specify the circumstances under which ODADAS may visit or otherwise evaluate an alcohol and drug addiction program for cause;

(5) Establish a process by which ODADAS, based on deficiencies identified as a result of visiting or evaluating a program, may take a range of corrective actions, with the most stringent being revocation of the program's certification.

Behavioral health documentation, standards, and integration

(Section 337.30.90)

With respect to residential facilities and community behavioral health services and programs, the act requires the ODADAS Director and Director of Mental Health to coordinate documentation requirements, streamline standards, and promote the integration of behavioral and physical health services.²²

Statewide Treatment and Prevention Fund

(R.C. 4511.191)

The act requires that the portion of the fee persons pay to have a driver's or commercial driver's license or permit reinstated that is credited to the Statewide Treatment and Prevention Fund be used for purposes identified in ODADAS's comprehensive statewide alcohol and drug addiction services plan rather than to pay the costs of driver treatment and intervention programs.

²² See also DEPARTMENT OF MENTAL HEALTH (DMH), "**Behavioral health documentation, standards, and integration**," below.