
I. POLICY TITLE: CATEGORY AND NUMBER:

**MHDAS BOARD PRIMARY POWERS
AND DUTIES**

ADMINISTRATION: #103

II. REFERENCES: ORC 117.20, 340, 3793, 5119, 5122

III. DEFINITIONS:

IV. POLICY

A. The MHDAS Board of Logan and Champaign Counties's duties as specified in Ohio Law, subject to rules issued by the Director of the Ohio Department of Mental Health and Addiction Services (OMHAS), include, but are not limited to:

1. Serve as the community mental health planning agency for the counties and in so doing shall:
 - a. evaluate the need for mental health programs and facilities (ORC 340.03 (A)(1)(a);
 - b. assess the community mental health needs, set priorities, and develop plans for the operation of community mental health services and programs and facilities for those services and programs in cooperation with both local and regional planning and funding bodies (ORC 340.03 (A)(1)(b);
 - c. develop and submit to the department of mental health (OMHAS) a community plan listing local mental health needs, including the needs of all residents of the district now residing in state mental institutions and severely mentally disabled adults, children, and adolescents, and all mental health programs and facilities that are or will be in operation during the period for which the plan will be in operation in the service district to meet such needs (ORC 340.03 (A)(1)(c);
 - d. develop a community plan that shall include, but not be limited to, statement of which the services listed in Section 340.09 of the Ohio Revised Code the MHDAS Board intends to provide or purchase, an explanation of how the Board intends to make any payments that it may be required to pay under Section 5119.62 of the Ohio Revised Code, a statement of the inpatient and community-based services the MHDAS Board proposes that OMHAS operate, an assessment of the number and types of residential facilities needed, and other such information as OMHAS requests, and a budget for monies the MHDAS Board expects to receive. The MHDAS Board shall also submit an allocation request for state and federal funds (ORC 340.03 (A)(1)(C);
 - e. Receive, compile and transmit to OMHAS applications for state reimbursement (ORC 340.03 (A)(1)(d);
 - f. Promote, arrange and implement working agreements with social agencies, both public and private, and with judicial agencies (ORC 340.03 (A)(1)(e).

2. Investigate, or request another agency to investigate, any complaint alleging abuse or neglect of any person receiving services from a community mental health or alcohol and drug addiction agency as defined in ORC 5122.01, or from a residential facility licensed under ORC 5119.22. If the investigation substantiates the charge of abuse or neglect, the MHDAS Board shall take whatever action it determines is necessary to correct the situation (ORC 340.03 (A)(2)).
3. Review, evaluate and conduct program audits for community mental health services, facilities and agencies seeking federal, state or board assistance, review licensure applications pursuant to ORC 5119.22, and determine if the services meet minimum standards established pursuant to division (G) of ORC 5119.01 and submit its findings to OMHAS (ORC 340.03(A)(3)).
4. Audit in accordance with rules adopted by the auditor of state pursuant to Section 117.20 of the ORC, at least annually all programs and services provided under contract with the MHDAS Board (340.03 (A)(3)).
5. Recruit and promote local financial support for mental health programs and services from private and public support (340.03(A)(5)).
6. Enter into contracts with public and private agencies for the provision of mental health services and facilities and consider the cost effectiveness of services provided by those agencies and the quality and quantity of care. A utilization review process shall be established as part of the contract for services entered into between the Board and the public or private agency. The MHDAS Board may establish this process in a way which is most efficient and effective in meeting local needs (340.03(A)(6)(a)).
7. Approve fee schedules and related charges or adopt a unit cost schedule or other methods of payment for contract services provided by contract agencies in accordance with guidelines issued by OMHAS as necessary to comply with state and federal laws pertaining to financial assistance (340.03.(A)(7)).
8. Submit to the OMHAS director and county commissioners of the counties served by the MHDAS Board, and make available to the public, an annual report of programs under the jurisdiction of the MHDAS Board, including a fiscal accounting (340.03 (A)(8)) for the severely mentally disabled.
9. Establish, to the extent that resources are available, a community support system, which provides for the treatment, support and rehabilitation services and other opportunities (340.03 (A)(9)).
10. Designate the treatment program, agency or facility for each person involuntarily committed to the MHDAS Board pursuant to Chapter 5122 of the ORC and authorize payment for such treatment (340.03 (A)(11)).11.

Establish a method for evaluating referrals for involuntary commitment and affidavits filed pursuant to ORC 5122.11 (340.03(A)(12)).

12. Ensure that apartments or rooms built, subsidized, renovated, rented, owned or leased by the MHDAS Board or a contract mental health agency have been approved as meeting minimum fire safety standards and that persons residing in the rooms or apartments are receiving appropriate and necessary services including culturally relevant services, from a contract mental health agency (340.03 (A)(13)).
13. Establish a mechanism for the involvement of consumer recommendation and advice on matters pertaining to mental health, drug and alcohol addiction services provided in the MHDAS Board's district.

B. In accordance with procedures and guidelines established by the Ohio Department of Mental Health and Addiction Services, the MHDAS Board of Logan and Champaign Counties' responsibilities shall include, but not be limited to:

1. Serve as the planning agency for alcohol and drug addiction services for the county and in so doing shall:
 - a. Ensure the abstinence from the use of alcohol and drugs of abuse is the primary goal of alcohol and drug addiction services (3793.04)
 - b. Assess alcohol and drug addiction services needs and evaluate the need for alcohol and drug addiction programs (340.033 (A)(1)).
 - c. According to the needs determined under ORC 340.033 (A)(1) set priorities and develop plans for the operation of alcohol and drug addiction services in cooperation with other local and regional planning and funding bodies and with relevant ethnic organizations.
 - d. Submit the plan for alcohol and drug addiction services required by ORC 3793.05 to the OHMAS and implement the plan as approved by OHMAS (340.033 (A)(4)).
 - e. Provide to OHMAS information to be included in the information system established by OHMAS under ORC 37903.04 (340.033 (A)(5)).
 - f. Enter into contracts with alcohol and drug addiction programs for the provision of alcohol and drug addiction services, including prevention for alcohol and other substance abuse (340.033 (A)(5)).
 - g. Review and evaluate alcohol and drug addiction programs in the MHDAS Board's district, and conduct program audits (340.033 (A)(6)).
 - h. Prepare and submit to OHMAS an annual report of the alcohol and drug addiction programs in the district (340.033 (A)(7)).
 - i. Receive, compile and transmit to OHMAS applications for funding (340.033 (A)(9)).
 - k. Investigate, or request another agency to investigate, any complaint alleging abuse or neglect of any person receiving services from an alcohol or drug addiction program (340.033 (A)(10)).

- l. Establish a mechanism for the involvement of persons receiving services in obtaining their advice on matters pertaining to alcohol or drug addiction services. (340.033 (A)(11)
 - m. Recruit and promote local financial support, from private and public sources, for alcohol and drug addiction programs (340.033 (A)(12)).
 - n. Approve fee schedules and related charges, adopt a unit cost schedule, or adopt other methods of payment for services provided by programs under contract pursuant to division (A)(S) of this Section of the ORC, in accordance with guidelines established by OHMAS under ORC 3793.04 (340.033 (A)(13)).
 - o. In accordance with rules adopted by the auditor of the state of Ohio pursuant to ORC 117.20, at least annually the MHDAS Board shall audit all alcohol and drug addiction services provided under contract with the MHDAS Board (340.033 (B)).
 - p. Consider the cost effectiveness of services provided by the program and the program's quality and continuity of care (340.033 (C)).
 - q. A utilization review process shall be established as part of the contract for services. The MHDAS Board may establish this process in any way that it considers to be most effective and efficient in meeting local needs (340.033 (C)).
- C. The MHDAS Board of Logan and Champaign Counties affirms its commitment to fulfilling these functions and responsibilities to the best of its ability.
- D. The MHDAS Board is responsible for ensuring that these legal duties and responsibilities of the Board are fulfilled, and will hold its Executive Director accountable for this responsibility.
- E. MHDAS Board Chairperson shall assure that a process exists to monitor Board member attendance at all regularly scheduled Board or Committee meetings. Upon absence of a Board member, in a one year period, from either four Board or Committee meetings with prior notice, or from two Board or Committee meetings without prior notice, the Board shall notify the appointing authority and recommend appointment of another person to complete the member's term. A previously stated, planned concern for a long term commitment resulting in absence(s) by a member from regularly scheduled Board meetings may be approved by the MHDAS Board Chairperson or Executive Committee as a leave of absence, for up to six months. While on a leave of absence the member will not be included as part of the count towards the quorum requirement.
- F. The purpose of this policy is to define the framework and assumptions that will guide MHDAS Board policy development and revision.
- G. An individual MHDAS Board Member shall never act on behalf of the MHDAS Board regarding contract or policy matters without the explicit authority granted by the full Board or under action of the Executive Committee or the Board Chair.