

5123:2-3-20

Receipt, investigation, and disposition of complaints.

(A) Purpose

The purpose of this rule is to describe the process involving the receipt, investigation, and disposition of complaints when they involve a residential facility.

(B) Any person may submit a complaint to the department at any time. A complaint shall be submitted in writing or in person. A person who is not able to submit a report in writing independently shall be assisted by the department in submitting the complaint. The department shall provide specific information as to where persons can submit complaints to the department, including any toll-free number for submitting complaints.

(C) Department staff shall be trained to assess a complaint to determine if the complaint should be referred to another entity including, but not limited to, law enforcement, a county board, or another entity within or external to the department in accordance with rule 5123:2-17-01 of the Administrative Code.

(D) If it is determined that the complaint involves a residential facility, the department shall assess whether the complaint involves allegations that pose an immediate risk to an individual's health and/or welfare.

(1) If it is determined that an immediate risk to the individual's health or welfare exists, the department shall take measures to ensure that any conditions that pose a risk to the health and welfare of the individual have been corrected and shall initiate an investigation of the complaint by the end of day following receipt of the complaint..

(2) If it is determined that no immediate risk to the individual's health or welfare exists, the department shall conduct and complete an investigation within ten working days following the receipt of the complaint.

(E) The department shall complete a written report within five working days following the conclusion of the investigation.

(F) The disposition of the complaint may include, but is not limited to:

(1) No action, if the allegations in the complaint cannot be substantiated;

(2) The issuance of licensure citations, as appropriate;

(3) Referral to another entity;

(4) Other action, as appropriate, based on the findings of the investigation.

(G) The department shall send a written statement to the complainant within twenty working days of the conclusion of the investigation acknowledging receipt of the

complaint and the general actions taken by the department to address the complaint.

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CERTIFIED ELECTRONICALLY

Certification

01/03/2005

Date

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