

## IMPORTANT NOTICE

The purpose of this notice is to inform all interested and affected parties of Ohio Mental Health and Addiction Services' (OhioMHAS) policy regarding the licensing of Adult Care Facilities (ACFs) in multi-unit buildings. This change in policy took effect May 27<sup>th</sup>, 2009 under the Department of Health (ODH) and was brought forth with the transfer from ODH to OhioMHAS (formerly ODMH) effective July 1, 2011. The statutory provision Division (A) of Section 5119.73 of the Revised Code (formerly 3722.04) states that "no single facility may be licensed to operate as more than one ACF." The policy applies to: Adult Family Homes (AFHs) which house 3-5 residents; and Adult Group Homes (AGHs) which house 6-16 residents as follows:

1. Not more than one ACF will be licensed in a building.
2. Individual apartments will not be licensed as an AFH or AGH.
3. Apartment buildings, or other multi-family complexes, except duplexes meeting the criteria of item 5 below, will not be licensed as an AFH.
4. An entire apartment complex, or other multi-family complex, may be licensed as an AGH, if the following criteria are met:
  - a. The AGH is approved by the building and fire authorities;
  - b. At least 6 but not more than 16 residents will be housed in the complex;
  - c. There are no private renters residing in the building; and
  - d. One unit is designated for on-site, live-in staff.
5. An entire duplex may be licensed as an AFH or AGH if the following criteria are met:
  - a. The AGH is approved by the building and fire authorities;
  - b. One of the units is designated and used for on-site, live-in staff; and
  - c. The number of residents does not exceed the statutorily authorized licensed capacity.
6. An AFH located in the same building or structure from which another business is operated will not be licensed.
7. An AGH located in the same building or structure with another business may be licensed if the AGH is approved by the building and fire authorities.
8. Existing licensed ACFs in such settings will be grandfathered in and will continue to be licensed. However, any lapse in license will terminate the grandfathering and a person that subsequently seeks licensure of the same adult care facility will be subject to the new policy guidelines.

Any questions regarding this policy should be directed to (614) 752-8880 or LicCert@mh.ohio.gov