

5122-14-06 Waivers and variances.

(A) The purpose of this rule is to describe how the department may permit waivers and variances.

(B) The provisions of this rule are applicable to each inpatient psychiatric service provider licensed by the department.

(C) Definitions applying to this rule are those appearing in rule [5122-14-01](#) of the Administrative Code.

(D) An inpatient psychiatric service provider may submit a dated, written request to the department for a waiver or variance. The written request must clearly state the licensure rule of the waiver/variance request, the rationale and need for the requested waiver or variance, and the consequence of not receiving approval of the request.

(E) Upon receipt of a written request for a waiver or variance that provides a clear and valid statement of need, the department in its discretion may grant a waiver or variance for a period of time determined by the department but that shall not exceed the expiration date of the current license.

(F) The department shall acknowledge and respond to the waiver/variance request within thirty days of receipt by the department.

Effective: 07/01/2011

R.C. [119.032](#) review dates: 03/21/2011 and 07/01/2016

Promulgated Under: [119.03](#)

Statutory Authority: [5119.20](#)

Rule Amplifies: [5119.20](#)

Prior Effective Dates: 10-12-1978, 1-1-1991, 1-1-2000