

S. B. No. 211

As Passed by the Senate

_____ moved to amend as follows:

In line 1 of the title, after "To" insert "amend section 5119.10 and 1
to"; delete "and" and insert ","; after "4759.31" insert ", 5119.81, 2
5119.82, 5119.83, 5119.84, and 5119.85" 3

In line 3 of the title, after "Compact" insert "and to establish a 4
9-8-8 suicide prevention and mental health crisis telephone line" 5

In line 4, after "That" insert "section 5119.10 be amended and"; 6
delete "and" and insert ","; after "4759.31" insert ", 5119.81, 5119.82, 7
5119.83, 5119.84, and 5119.85" 8

After line 1059, insert: 9

"Sec. 5119.10. (A) The director of mental health and 10
addiction services is the chief executive and appointing 11
authority of the department of mental health and addiction 12
services. The director may organize the department for its 13
efficient operation, including creating divisions or offices as 14
necessary. The director may establish procedures for the 15
governance of the department, conduct of its employees and 16
officers, performance of its business, and custody, use, and 17



preservation of departmental records, papers, books, documents, 18
and property. Whenever the Revised Code imposes a duty upon or 19
requires an action of the department or any of its institutions, 20
the director or the director's designee shall perform the action 21
or duty in the name of the department, except that the medical 22
director appointed pursuant to section 5119.11 of the Revised 23
Code shall be responsible for decisions relating to medical 24
diagnosis, treatment, rehabilitation, quality assurance, and the 25
clinical aspects of the following: licensure of hospitals and 26
residential facilities, research, community addiction and mental 27
health plans, and certification and delivery of addiction 28
services and mental health services. 29

(B) The director shall: 30

(1) Adopt rules for the proper execution of the powers and 31
duties of the department with respect to the institutions under 32
its control, and require the performance of additional duties by 33
the officers of the institutions as necessary to fully meet the 34
requirements, intents, and purposes of this chapter. In case of 35
an apparent conflict between the powers conferred upon any 36
managing officer and those conferred by such sections upon the 37
department, the presumption shall be conclusive in favor of the 38
department. 39

(2) Adopt rules for the nonpartisan management of the 40
institutions under the department's control. An officer or 41
employee of the department or any officer or employee of any 42
institution under its control who, by solicitation or otherwise, 43
exerts influence directly or indirectly to induce any other 44
officer or employee of the department or any of its institutions 45
to adopt the exerting officer's or employee's political views or 46
to favor any particular person, issue, or candidate for office 47

shall be removed from the exerting officer's or employee's office or position, by the department in case of an officer or employee, and by the governor in case of the director.

(3) Appoint such employees, including the medical director, as are necessary for the efficient conduct of the department, and prescribe their titles and duties;

(4) Prescribe the forms of affidavits, applications, medical certificates, orders of hospitalization and release, and all other forms, reports, and records that are required in the hospitalization or admission and release of all persons to the institutions under the control of the department, or are otherwise required under this chapter or Chapter 5122. of the Revised Code;

(5) Exercise the powers and perform the duties relating to addiction and mental health facilities, addiction services, mental health services, 9-8-8 suicide and crisis response, and recovery supports that are assigned to the director under this chapter and Chapter 340. of the Revised Code;

(6) Develop and implement clinical evaluation and monitoring of services that are operated by the department;

(7) Adopt rules establishing standards for the performance of evaluations by a forensic center or other psychiatric program or facility of the mental condition of defendants ordered by the court under section 2919.271, or 2945.371 of the Revised Code, and for the treatment of defendants who have been found incompetent to stand trial and ordered by the court under section 2945.38, 2945.39, 2945.401, or 2945.402 of the Revised Code to receive treatment in facilities;

(8) On behalf of the department, have the authority and

responsibility for entering into contracts and other agreements 77
with providers, agencies, institutions, and other entities, both 78
public and private, as necessary for the department to carry out 79
its duties under this chapter and Chapters 340., 2919., 2945., 80
and 5122. of the Revised Code. Chapter 125. of the Revised Code 81
does not apply to contracts the director enters into under this 82
section for addiction services, mental health services, or 83
recovery supports provided to individuals who have an addiction 84
or mental illness by providers, agencies, institutions, and 85
other entities not owned or operated by the department. 86

(9) Adopt rules in accordance with Chapter 119. of the 87
Revised Code specifying the supplemental services that may be 88
provided through a trust authorized by section 5815.28 of the 89
Revised Code; 90

(10) Adopt rules in accordance with Chapter 119. of the 91
Revised Code establishing standards for the maintenance and 92
distribution to a beneficiary of assets of a trust authorized by 93
section 5815.28 of the Revised Code. 94

(C) The director may contract with hospitals licensed by 95
the department under section 5119.33 of the Revised Code for the 96
care and treatment of patients with mental illnesses, or with 97
persons, organizations, or agencies for the custody, evaluation, 98
supervision, care, or treatment of persons with mental illnesses 99
receiving services elsewhere than within the enclosure of a 100
hospital operated under section 5119.14 of the Revised Code. 101

Sec. 5119.81. As used in sections 5119.81 to 5119.85 of 102
the Revised Code: 103

(A) "9-8-8 administrator" means the administrator of the 104
9-8-8 suicide prevention and mental health crisis hotline 105

system, as established in section 5119.82 of the Revised Code. 106

(B) "9-8-8 suicide prevention and mental health crisis
hotline" or "9-8-8 hotline" means the 9-8-8 universal telephone
number in the United States, as established under 47 U.S.C.
251(e), for the purpose of the national suicide prevention and
mental health crisis hotline system. 107
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Sec. 5119.82. There is hereby established a 9-8-8
administrator within the department of mental health and
addiction services to oversee the administration of the 9-8-8
suicide prevention and mental health crisis hotline system
statewide. 112
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Sec. 5119.83. (A) Not later than one year after the
effective date of this section and annually thereafter, the 9-8-
8 administrator shall compile an annual report regarding the
operation of the 9-8-8 national suicide prevention and mental
health crisis hotline in this state. 117
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(B) Each annual report shall, at a minimum, specify all of
the following: 122
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(1) The total number of 9-8-8 call centers in this state
to which calls, texts, and chats are routed when individuals
contact the 9-8-8 national suicide prevention and mental health
crisis hotline; 124
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(2) The total number of telephone calls, texts, and chats
received by each 9-8-8 call center; 128
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(3) The rate at which in-state calls are answered by the
9-8-8 call centers; 130
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(4) The average time taken by 9-8-8 call centers to answer
calls. 132
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<u>(C) The 9-8-8 administrator shall submit the report to</u>	134
<u>both of the following:</u>	135
<u>(1) The general assembly, in accordance with section</u>	136
<u>101.68 of the Revised Code;</u>	137
<u>(2) The governor.</u>	138
<u>Sec. 5119.84.</u> (A) <u>There is hereby created in the state</u>	139
<u>treasury the 9-8-8 fund. The fund shall consist of all money</u>	140
<u>from the following sources:</u>	141
<u>(1) Appropriations made by the general assembly;</u>	142
<u>(2) Money awarded to the state by donation, gift, or</u>	143
<u>bequest, and other money received for purposes of this section;</u>	144
<u>(3) Interest or other earnings on the fund.</u>	145
<u>(B) Money in the fund shall be used to oversee and</u>	146
<u>administer the 9-8-8 suicide prevention and mental health crisis</u>	147
<u>hotline system.</u>	148
<u>(C) Money in the 9-8-8 fund is not subject to transfer to</u>	149
<u>any other fund.</u>	150
<u>(D) Any money remaining in the fund, including interest</u>	151
<u>thereon, at the end of each fiscal year shall not revert to the</u>	152
<u>general revenue fund but shall remain in the fund.</u>	153
<u>(E) The treasurer of state shall disburse money from the</u>	154
<u>9-8-8 fund only upon the request of, or consultation with, the</u>	155
<u>director of mental health and addiction services.</u>	156
<u>Sec. 5119.85.</u> (A) <u>As used in this section, "telephone</u>	157
<u>company" has the same meaning as in section 128.01 of the</u>	158
<u>Revised Code.</u>	159

(B) Except for willful or wanton misconduct, a telephone 160
company and any other installer, maintainer, or provider, 161
through the sale or otherwise, of customer premises equipment, 162
or service used for or with the 9-8-8 hotline, and their 163
respective officers, directors, employees, agents, suppliers, 164
corporate parents, and affiliates are not liable in damages in a 165
civil action for injuries, death or loss to persons or property 166
incurred by any person resulting from such an entity's or its 167
officers', directors', employees', agents', or suppliers' 168
participation in or acts or omissions in connection with 169
participating in or developing, maintaining, or operating the 9- 170
8-8 hotline. 171

Section 2. That existing section 5119.10 of the Revised 172
Code is hereby repealed." 173

The motion was _____ agreed to.

SYNOPSIS 174

9-8-8 hotline system 175

R.C. 5119.10 and 5119.81 to 5119.85 176

Adds 9-8-8 suicide and crisis response to the powers and 177
duties of the Director of Mental Health and Addiction Services. 178

Establishes a 9-8-8 Administrator within the Department of 179
Mental Health and Addiction Services (OhioMHAS) to oversee the 180
administration of the 9-8-8 Suicide Prevention and Mental Health 181
Crisis Hotline System (9-8-8 Hotline) statewide. 182

Requires the 9-8-8 Administrator to submit an annual 183

report to the General Assembly and the Governor regarding the	184
operation of the 9-8-8 Hotline.	185
Creates the 9-8-8 Fund in the state treasury, consisting	186
of money from sources including appropriations from the General	187
Assembly, to be used to oversee and administer the 9-8-8	188
Hotline.	189
Requires the Treasurer of State to disburse money from the	190
9-8-8 Fund only upon the request of, or consultation with, the	191
Director of Mental Health and Addiction Services.	192
Exempts certain companies and affiliated individuals and	193
entities from liability in a civil action for damages resulting	194
from the companies' or affiliates' acts or omissions in	195
connection with the 9-8-8 Hotline.	196