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Committees:
Finance, Vice Chair
Finance, Primary and Secondary Education
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Education
Local Government, Public Safety,
and Veterans Affairs
Rules & Reference
Transportation, Commerce, and Workforce

Gayle L. Manning
Majority Whip
13th District

Chairwoman Anielski, Vice Chair Hambley, Ranking Member Holmes, and members of the committee, thank you for allowing me to testify on Senate Bill 71 today. This bill will allow the Executive Director of the County Board of Mental Health delegating authority to enter into contracts for routine administrative and treatment functions up to \$25,000.

Currently, the wording in this part of the code has been interpreted to mean that a formal resolution of the Board must be passed to approve every contract prior to the contract being signed by the Executive Director.

This requirement impacts situations in which a person in a crisis situation requires specialized services that are not immediately available under an existing contract. In most cases, the impractical real-world effect of this is to keep an individual restricted to an emergency room setting while waiting for the Board to meet and approve the contract for the services required.

Recently, one high-need-person, in one of the counties that I represent, needed a new caregiver. The existing one had quit without notice and quick action was needed to put a new open in place to ensure that the client did not end up in the hospital or in jail. The Director signed an agreement with the new caregiver without prior board approval because it was in his client's best interest. If he had waited for the approval of the Board to get the individual the treatment she needed, then who knows where this client could have ended up. Current statute creates a barrier to help those in need in situations of urgency.

The proposed changes in Senate Bill 71 will be permissive – allowing each County Board to determine the level of control that it feels is necessary to meet their fiduciary responsibilities.

After meeting with interested parties we added an amendment which lowered the threshold from \$50,000 to \$25,000. The amendment also defines the two types of contracts that an Executive Director can enter into:

- 1) Emergency contracts for clinical services or recovery support services
- 2) Standard service contracts pertaining to the board's operations.

The amendment also requires the executive director to report back to the board the contract that he or she entered into without prior board approval.

Thank you, members of this committee, for the opportunity to speak to both the need for and the merits of this legislation. I am happy to answer any questions at this time.