



Ohio Revised Code

Section 5122.27 Chief clinical officer duties.

Effective: April 6, 2023

Legislation: House Bill 281

The chief clinical officer of the hospital or the chief clinical officer's designee shall assure that all patients hospitalized or committed pursuant to this chapter shall:

- (A) Receive, within twenty days of their admission sufficient professional care to assure that an evaluation of current status, differential diagnosis, probable prognosis, and description of the current treatment plan is stated on the official chart;
- (B) Have a written treatment plan consistent with the evaluation, diagnosis, prognosis, and goals which shall be provided, upon request of the patient or patient's counsel, to the patient's counsel and to any private physician or licensed clinical psychologist designated by the patient or the patient's counsel or to the Ohio protection and advocacy system;
- (C) Receive treatment consistent with the treatment plan. The department of mental health and addiction services shall set standards for treatment provided to such patients, consistent wherever possible with standards set by the joint commission.
- (D) Receive periodic reevaluations of the treatment plan by the professional staff at intervals not to exceed ninety days;
- (E) Be provided with adequate medical treatment for physical disease or injury;
- (F) Receive humane care and treatment, including without limitation, the following:
 - (1) The least restrictive environment consistent with the treatment plan;
 - (2) The necessary facilities and personnel required by the treatment plan;
 - (3) A humane psychological and physical environment;



- (4) The right to obtain current information concerning the patient's treatment program and expectations in terms that the patient can reasonably understand;
- (5) Participation in programs designed to afford the patient substantial opportunity to acquire skills to facilitate return to the community or to terminate an involuntary commitment;
- (6) The right to be free from unnecessary or excessive medication;
- (7) Freedom from restraints or isolation unless it is stated in a written order by the chief clinical officer or the chief clinical officer's designee, or the patient's individual physician or psychologist in a private or general hospital.

If the chief clinical officer of the hospital is unable to provide the treatment required by divisions (C), (E), and (F) of this section for any patient hospitalized pursuant to Chapter 5122. of the Revised Code, the chief clinical officer shall immediately notify the patient, the court, the Ohio protection and advocacy system, the director of mental health and addiction services, and the patient's counsel and legal guardian, if known. If within ten days after receipt of such notification by the director, the director is unable to effect a transfer of the patient, pursuant to section 5122.20 of the Revised Code, to a hospital, community mental health services provider, or other medical facility where treatment is available, or has not received an order of the court to the contrary, the involuntary commitment of any patient hospitalized pursuant to Chapter 5122. of the Revised Code and defined as a person with a mental illness subject to court order under division (B)(4) of section 5122.01 of the Revised Code shall automatically be terminated.