



Ohio Administrative Code

Rule 3304:1-21-07 Closing, opening and transitioning a facility or site.

Effective: February 18, 2022

(A) The outgoing operator, incoming operator, and BE must work collaboratively whenever a facility or site is to be transitioned to ensure that disruptions in grantor service are minimized as much as possible.

(B) When a facility or site transition occurs, BE shall do all of the following:

(1) Schedule and notify the outgoing and the incoming operator of the final date of operation for the outgoing operator, the beginning date of operation for the incoming operator, and schedule a facility or site transition date for all parties to be present;

(2) Complete a closing inspection on the facility or site transition date noting facility or site condition and cleanliness. BE shall request the incoming and outgoing operators sign the inspection;

(3) Count all remaining stock and supplies on hand that BE determines to be saleable and usable for the location as well as perform its own equipment inventory to ensure all BE purchased equipment is present, functional, and in good condition; and

(4) Assure that an inventory form of that day's count and either a BOA or TBOA have been signed by the operator for the facility or site on the day of the closing inventory.

(C) When a facility or site transition occurs, the operators shall do all of the following:

(1) The outgoing and incoming operator or their designee shall be present for the closing inventory for stock and supplies on hand and equipment which must be signed by both operators and the BE program;

(2) The outgoing operator shall relinquish the facility or site in a clean and operable condition;



(3) On the day of the closing inventory the outgoing operator shall provide BE with a copy of the most recent receipts for the current stock and supplies. If receipts are not provided, BE shall assign fair market value to the closing inventory of stock and supplies;

(4) Within one week of the closing inventory the incoming operator may submit to BE a written request of an itemized list of specific items not to be included in the value of the opening inventory. BE shall have final determination of items to be included or excluded for the value of the incoming operator's opening inventory;

(5) The outgoing operator shall submit the closing MOR to BE within twenty four days of receipt of closing inventory documentation from BE; and

(6) The outgoing operator shall submit payment of the final service charge, any outstanding inventory charges and any other charges within thirty days of submission of the closing MOR.

(D) Whenever BE must take charge of a facility or site due to the suspension or termination of a BGA, BOA or TBOA, BE may assume temporary custody of the cash on hand until such time as outstanding set-aside fees and inventory adjustment charges due to BE are resolved.