



Ohio Administrative Code

Rule 4731-16-08 Criteria for approval for evaluators and treatment providers.

Effective: November 30, 2023

(A) In order to be approved as an evaluator or treatment provider for impaired applicants or practitioners, the evaluator or treatment provider must submit an application to the monitoring organization, which includes information regarding the areas of expertise and services provided, accreditation status, staffing composition, treatment approaches utilized, census and financial information, and other information as requested by the monitoring organization.

(B) The monitoring organization shall review individuals and entities providing evaluations and treatment to licensees and applicants who are impaired or potentially impaired.

(1) As part of the review the monitoring organization shall determine whether the individual or entity has the capability to evaluate impaired or potentially impaired practitioners or applicants for conditions which impair the ability to practice in accordance with acceptable and prevailing standards of care, including mental or physical illness, including substance use disorder.

(2) As part of the review, the monitoring organization shall determine whether the individual or entity has the capability to provide treatment to impaired practitioners or applicants, which may include withdrawal management, inpatient, residential, extended residential, partial hospitalization intensive outpatient, outpatient, continuing care, or other therapy or treatment.

(3) Evaluators or treatment providers which are facilities providing substance use disorder evaluation or treatment shall hold accreditation from one of the following:

(a) Commission on accreditation of rehabilitation facilities;

(b) American society of addiction medicine; or

(c) The joint commission.



(4) Evaluators or treatment providers which are facilities providing mental health disorder evaluation or treatment shall hold accreditation from one of the following:

(a) Commission on accreditation of rehabilitation facilities; or

(b) The joint commission.

(5) Evaluators or treatment providers who are individual physicians or other licensed healthcare professionals shall provide evidence of education, training, and experience treating the relevant diseases or conditions.

(C) The monitoring organization shall prepare of list of approved evaluators and treatment providers and make that available to practitioners or applicants referred to the monitoring organization.

(D) The monitoring organization shall provide annual training to evaluators and treatment providers regarding the eligibility requirements for the confidential monitoring program, the boards statutes, rules, and policies regarding impairment, and evaluator and treatment provider reporting requirements.

(E) The monitoring organization shall periodically review the operations and outcomes of the evaluators and treatment providers to determine whether the standard of care is being met. If the monitoring organization determines that any evaluators or treatment providers no longer meet the standard of care, the monitoring organization may remove the evaluator or treatment provider from the list provided to impaired or potentially impaired licensees and applicants.

(F) The approved evaluator or treatment provider shall do the following:

(1) Develop an individualized treatment plan for every practitioner or applicant who enters treatment including any required supervision or restrictions of practice during treatment;

(2) Require a practitioner to suspend practice as required by the treatment provider or the monitoring organization medical director or designee;



(3) Report to the monitoring organization any instances of violations of this chapter, including any practitioner or applicant who due to impairment present an imminent danger to oneself or the public and any practitioner or applicant who is unwilling or unable to complete or comply with the terms of evaluation, treatment, or monitoring;

(4) Report to the monitoring organization the resumption of practice of any impaired practitioner before the treatment provider and medical director or designee of the monitoring organization has made a clear determination that the practitioner is capable of practicing according to acceptable and prevailing standards of care;

(5) Fulfill all recordkeeping requirements applicable under state and federal laws, including completing and maintaining records for each practitioner and applicant seen for evaluation and treatment; and

(6) Require every practitioner or applicant who submits for an evaluation or enters treatment to execute a release with respect to issuance of the required reports to the monitoring organization.

(G) Each quarter, the evaluator or treatment provider shall provide to the monitoring organization information regarding licensees or applicants seen for evaluation or treatment under the confidential monitoring program, as determined by the monitoring organization.

(H) The evaluator or treatment provider shall notify the monitoring organization of the following changes prior to the effective date:

(1) Transfer of ownership of program;

(2) Change in location of the program; or

(3) Change in medical director.

(I) The evaluator or treatment provider shall not report to the board the identity of a practitioner or applicant who has been referred for evaluation or treatment by a party other than the board, so long as the practitioner or applicant maintains participation in accordance with requirements of the



confidential monitoring program under section 4731.25 of the Revised Code.

(J) Nothing in this rule relieves licensees of the board of their duty to report violations of laws and rules to the board.