



Ohio Revised Code

Section 5123.37 Application to sell facility and acquire replacement.

Effective: October 6, 2009

Legislation: Senate Bill 79 - 128th General Assembly

A county board of developmental disabilities or private, nonprofit agency that receives state funds pursuant to an agreement with the director of developmental disabilities under section 5123.36 of the Revised Code to acquire a facility may apply to the director for approval to sell the facility before the terms of the agreement expire for the purpose of acquiring a replacement facility to be used to provide mental retardation or developmental disability services to individuals the county board or agency serves. The application shall be made on a form the director shall prescribe. The county board or agency shall include in the application the specific purpose for which the replacement facility is to be used. The director may refuse to approve the application if the director determines that any of the following apply:

- (A) The application is incomplete or indicates that the county board or agency is unable to purchase a replacement facility.
 - (B) The replacement facility would not be used to continue to provide mental retardation or developmental disability services that the director determines are appropriate for the individuals the county board or agency serves.
 - (C) The county board or agency has failed to comply with a provision of Chapter 5123. or 5126. of the Revised Code or a rule adopted by the director.
 - (D) Approving the application would be inconsistent with the plans and priorities of the department of developmental disabilities.
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