



MIKE DEWINE
GOVERNOR
STATE OF OHIO

Executive Order 2026-03D

The Emergency Adoption of Rules 5122-31-01, 5122-31-02, 5122-31-03, 5122-31-04, 5122-31-05, 5122-31-06, 5122-31-07, 5122-31-08, 5122-31-09, 5122-31-10, 5122-31-11, 5122-31-12, 5122-31-13, 5122-31-14, 5122-31-15, 5122-31-16, 5122-31-17, 5122-31-18, 5122-31-19, 5122-31-20, 5122-31-21, 5122-31-22, 5122-31-23, 5122-31-24 of the Ohio Administrative Code by the Ohio Department of Behavioral Health

WHEREAS, the Ohio Department of Behavioral Health (ODBH) oversees recovery housing residences in Ohio; and

WHEREAS, effective recovery houses should provide a drug- and alcohol-free environment where people who are recovering from addiction can practice living sober lives after receiving intensive treatment and access peer support, further addiction treatment, and other recovery supports; and

WHEREAS, there has been a dramatic increase in recovery houses operating across the state with the number of houses increasing by more than 475% over the last four years; and

WHEREAS, I have directed my cabinet agencies to be proactive in identifying potential risks for fraud, waste, or abuse to include identifying new trends, schemes, and business models, that pose a risk for potential fraud, waste, or abuse; and

WHEREAS, ODBH has identified rapid growth in the recovery housing industry with insufficient oversight as an area for improvement where proactive steps can be taken to combat potential waste, fraud, or abuse and prevent it from becoming a wide-spread issue; and

WHEREAS, the creation of a statewide regulatory framework for recovery housing residences will protect residents and surrounding communities, strengthen public confidence, and safeguard taxpayer resources; and

WHEREAS, ODBH assuming responsibility for certification of recovery housing residences will allow for the establishment of a standard that ensures Ohioans seeking recovery have access to safe, stable, secure living conditions, and that public resources supporting these services are managed with integrity, transparency, and accountability; and

WHEREAS, Sections 5119.39 and 5119.397 of the Ohio Revised Code authorize ODBH to adopt rules as necessary to administer and implement recovery housing residence certification; and

WHEREAS, Section 119.03(G) of the Ohio Revised Code authorizes the Governor, upon the request of a state agency, to suspend the normal rule-making procedures with respect to specific rules when an emergency exists necessitating the immediate adoption, amendment, or rescission of such rules. When such a determination is made, the agency may immediately adopt, amend, or rescind such rules, but the rules are valid only for one hundred and twenty (120) days; and

WHEREAS, ODBH has requested a determination whether an emergency exists that requires the adoption of rules 5122-31-01, 5122-31-02, 5122-31-03, 5122-31-04, 5122-31-05, 5122-31-06, 5122-31-07, 5122-31-08, 5122-31-09, 5122-31-10, 5122-31-11, 5122-31-12, 5122-31-13, 5122-31-14, 5122-31-15, 5122-31-16, 5122-31-17, 5122-31-18, 5122-31-19, 5122-31-20, 5122-31-21, 5122-31-22, 5122-31-23, 5122-31-24 of the Ohio Administrative Code on an emergency basis and that would therefore permit ODBH pursuant to Sections 5119.39 and 5119.397 of the Ohio Revised Code, to immediately adopt these rules.

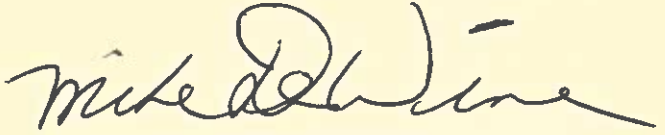
NOW THEREFORE, I, Mike DeWine, Governor of the State of Ohio, have determined, upon the request of ODBH, that an emergency exists requiring the immediate adoption of rules 5122-31-01, 5122-31-02, 5122-31-03, 5122-31-04, 5122-31-05, 5122-31-06, 5122-31-07, 5122-31-08, 5122-31-09, 5122-31-10, 5122-31-11, 5122-31-12, 5122-31-13, 5122-31-14, 5122-31-15, 5122-31-16, 5122-31-17, 5122-31-18, 5122-31-19, 5122-31-20, 5122-31-21, 5122-31-22, 5122-31-23, 5122-31-24 of the Ohio Administrative Code.

I hereby order that the procedures prescribed by section 119.03 of the Ohio Revised Code with respect to the adoption or amendment of the specified rules be suspended and that ODBH be permitted to adopt the rule immediately by filing it electronically with the Secretary of State, the Director of the Legislative Service Commission, and the Joint Committee on Agency Rule Review ("JCARR").

Furthermore, I hereby order that this Executive Order be filed in electronic form with ODBH, the Secretary of State, the Director of the Legislative Service Commission, and JCARR.

I signed this Executive Order on August 10, 2026, in Columbus, Ohio, and it will expire one hundred and twenty (120) days from the effective date of the emergency rule, or upon the adoption of the rule through the normal JCARR process, whichever is sooner.




Mike DeWine, Governor

ATTEST:

Frank LaRose, Secretary of State