



Lynda Meinke

Bill Analysis

Legislative Service Commission

S.B. 188

124th General Assembly
(As Introduced)

Sens. Fingerhut, Herington, Brady, Mallory, DiDonato, Espy, Shoemaker, McLin, Furney, Hagan, Ryan, Prentiss

BILL SUMMARY

- Prohibits the closure, sale, or termination of the operation of a Department of Mental Health institution without the enactment of a law by the General Assembly.
- Requires the Director of Budget and Management, at the request of the Director of Mental Health, to transfer funds to provide continued mental health services to Ohio citizens.
- Exempts Department of Mental Health appropriations from reductions made after the bill's effective date by executive order.

CONTENT AND OPERATION

Department of Mental Health institutions

(secs. 5119.03¹ and 5119.031)

Current law unchanged by the bill requires the Department of Mental Health to maintain, operate, manage, and govern state institutions for the care and treatment of mentally ill persons. The bill prohibits the Director of Mental Health from closing, selling, or otherwise terminating the operation of such an institution unless the General Assembly enacts a law authorizing the institution's closure, sale, or termination.

¹ In the bill, section 5119.03 incorrectly cross-references section 5114.031 of the Revised Code. Section 5119.031 should be referenced instead. This change can be made by a technical amendment.

Current law also provides that the Department, with approval of the Governor, is to designate the purpose of the institutions the Department operates. Under current law, the Department may change these designations with the Governor's approval. The bill provides that the Department's authority to change designations is subject to the prohibition against closing, selling, or terminating the operation of a facility other than pursuant to a law enacted by the General Assembly.

Transfer of funds

(Section 3)

The bill requires the Director of Budget and Management, at the request of the Director of Mental Health, to transfer up to \$50 million to provide continued mental health services to Ohio citizens. The Director of Budget and Management must also, in discussion with the Director of Mental Health, increase appropriations to certain Department of Mental Health funds. The increases may not exceed the amount that is transferred.

Department of Mental Health appropriations exempt from reductions

(Section 4)

Appropriations made to the Department of Mental Health are exempt under the bill from reductions made after the bill's effective date by executive order.

HISTORY

ACTION	DATE	JOURNAL ENTRY
Introduced	10-30-01	p. 1020

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