Department of Developmental Disabilities			Main Operating Appropriations Bill H.B. 33		
Executive			As Repo	rted By House Finance	
DDDCD19	Interagency Workgroup on Autism				
R.C.	5123.0419		R.C.	5123.0419	
services to coordinathe work	es the entity contracted by ODE to administer programs and for individuals with autism and low incidence disabilities as the ting body for the Interagency Workgroup on Autism. Requires group to submit an annual report to the DODD Director. the workgroup to meet at least twice per year.		Same as the Executive.		
DDDCD16	Obsolete DODD report				
R.C.	5123.195, (Repealed)		R.C.	5123.195, (Repealed)	
Repeals the law requiring DODD to report to the General Assembly at the end of 2003, 2004, and 2005 regarding the implementation of changes to the law governing residential facility licensure.			Same as the Executive.		
DDDCD20	Developmental Disabilities Council meetings				
R.C.	5123.35		R.C.	5123.35	
Eliminates the prerequisite that, for a Developmental Disabilities Council member to attend a council meeting remotely, roll call votes be taken for each vote.			Same as	the Executive.	
Eliminates the Council's duty to establish geographic restrictions for a council member's remote participation.			Same as	the Executive.	

needed for providers to bring facilities on line and the number of youth

needing services and the complexity of their needs.

Executive	As Reported By House Finance			
DDDCD25 Supported decision-making agreements for adults with developmental disabilities				
	R.C. 5123.68, 5123.681, 5123.682, 5123.683, 5123.684, 5123.685			
No provision.	Permits probate courts to consider supported decision-making as a less restrictive alternative to guardianship for adults with developmental disabilities when evidence of a supported decision-making agreement is presented to the court.			
No provision.	Creates a presumption of competence and capacity for adults with developmental disabilities, unless deemed incompetent by a court.			
No provision.	Establishes formal and informal supported decision-making options for adults with developmental disabilities and their supporters.			
No provision.	Requires the Department of Developmental Disabilities to create a model-supported decision-making agreement form.			
	Fiscal effect: Minimal.			
DDDCD21 ICF/IID Medicaid day payment rate peer group				
R.C. 5124.01	R.C. 5124.01			
Creates a new peer group for ICF/IID Medicaid day payment rate determinations that consists of any ICF/IID that has: (1) a Medicaid certified capacity not exceeding six, (2) a contract that allows DODD to approve all new admissions, (3) agreed to the established payment methodology, and (4) has an approved best practices protocol for providing services to youth up to age 21 in need of intensive behavior support services.	Same as the Executive.			
Fiscal effect: Any increased costs will depend on the amount of time	Fiscal effect: Same as the Executive.			

Department of Developmental Disabilities		Main Operating Appropriations Bill H.B. 33		
Executive		As Reported By House Finance		
DDDCD22 ICF/IID payment rate				
R.C. 5124.15		R.C. 5124.15, Section 261.75		
No provision.		Earmarks \$42,990,146 in FY 2024 and by \$145,076,944 in FY 2025 from GRF ALI 653407, Medicaid Services, and \$76,426,925 in FY 2024 and \$257,914,568 in FY 2025 from Fund 5A40 ALI 653654, Medicaid Services, to be used for increasing base payment rates to \$17 an hour in FY 2024 beginning on January 1, 2024, and to \$18 an hour in FY 2025 for certain direct care services under the home and community-based waivers administered by DODD. (See also MCDCD67)		
Increases the per Medicaid day rate for ICFs/IID by adding a professional workforce development payment equal to 6.5% of an ICF/IID's desk-reviewed, actual, allowable costs.		Same as the Executive, but changes to 13.55% in FY 2024 and 20.81% FY 2025.		
Fiscal effect: Depends on future cost reports. DODD projects a potential annual increase of \$25 million (all funds) on top of the payment rate.		Fiscal effect: Increases the appropriations for ALIs 653407 and 653654 by the same amounts to fund the rate increase earmarks.		
DDDCD15 Recoupment for ICF/IID downsizing delay				
R.C. 5124.45, Repealed: 5124.39		R.C. 5124.45, Repealed: 5124.39		
Repeals law generally requiring DODD to recoup payments from an ICF/IID that received approval to downsize but failed to do so by July 1, 2018, under a program that no longer exists.		Same as the Executive.		
DDDCD23 Number of ICF/IID residents in same sleeping room				
		R.C. 5124.70		
No provision.		Exempts from the limitation that no more than two residents reside in the same sleeping room ICF/IIDs that have specified bed capacities in counties with specified populations.		
		Fiscal effect: None.		

leases and agreements made under state law regarding capital facilities. Specifies that these appropriations are the source of funds pledged for

bond service charges on obligations issued for certain capital facilities.

increase employment opportunities for individuals with developmental disabilities through the existing Employment First Initiative. Requires the DODD Director in each fiscal year to transfer from GRF ALI

322508, to the Opportunities for Ohioans with Disabilities Agency (OOD), an amount agreed upon by the DODD Director and the OOD Executive Director to support the Employment First Initiative and requires that the transfer be made via an intrastate transfer voucher.

Departi	ment of Developmental Disabilities		Main Operating Appropriations Bill H.B. 33
Executive			As Reported By House Finance
obtain ava	OOD to use the funds transferred as state matching funds to ailable federal grant dollars for vocational rehabilitation and requires that any federal match dollars received by OOD be the initiative.	1	Same as the Executive.
an interag agency un responsibi	the DODD Director and the OOD Executive Director to enter into gency agreement that will specify the responsibilities of each oder the initiative, and specifies that OOD must retain ility for eligibility determination, order of selection, plan plan amendment, and release of vendor payments.	1	Same as the Executive.
term, sust	that the remainder of GRF ALI 322508 be used to develop a long cainable system that places individuals with developmental s in community employment.		Same as the Executive.
dollars to	ect: Potential gain in federal vocational rehabilitation (VR) OOD in each fiscal year depending upon the amount that is ed to OOD.		Fiscal effect: Same as the Executive.
DDDCD6	Community Supports and Rental Assistance		
Section:	261.60		Section: 261.60
and Renta assistance communit who enrol	e DODD Director to use GRF ALI 322509, Community Supports all Assistance, to provide funding to county DD boards for rental to people with developmental disabilities receiving home and ty-based services and to people with developmental disabilities all in a Medicaid waiver component providing home and ty-based services after receiving preadmission counseling.	1	Same as the Executive.
-	the DODD Director to establish a methodology for determining ont and distribution of the funding to county DD boards for rental etc.		Same as the Executive.
DDDCD24	Best Buddies Ohio		
			Section: 261.65
No provisi	on.		Requires GRF ALI 322510, Best Buddies Ohio, to be used in support of the Best Buddies Ohio program.

Department of Developmental Disabilities

Executive **As Reported By House Finance**

Medicaid Services DDDCD7

261.70 Section:

Requires GRF ALI 653407, Medicaid Services, to be used for the following: (1) to fund home and community-based services; (2) to implement the requirements of the agreements settling the consent decrees in Sermak v. Manuel and Martin v. Strickland; (3) ICF/IID services; and (4) other programs identified by the DODD Director.

Section: 261.70

Same as the Executive.

Central Office Operating Expenses DDDCD8

Section: 261.80 Section: 261.80

Earmarks \$100,000 in each fiscal year in Fund 5GEO ALI 322606, Central Office Operating Expenses, to be provided to the Ohio Center for Autism and Low Incidence to establish a lifespan autism hub to support families and professionals.

Same as the Executive.

Same as the Executive.

County board share of waiver services DDDCD9

Section: 261.100 Section: 261,100

Requires the DODD Director to establish a methodology to be used in FY 2024 and FY 2025 to estimate the quarterly amount each county DD board is to pay of the nonfederal share of home and community-based services for which the county board is responsible.

Requires the DODD Director to provide written notice of the amount Same as the Executive.

owed by each county DD board for each quarter and also specify when the payment is due.

Fiscal effect: Potential administrative costs to establish the methodology.

Fiscal effect: Same as the Executive.

Association/Ohio Centers for Intellectual Disabilities, the Values and Fair Alliance, and ARC of Ohio.

Prohibits the DODD Director from authorizing a pilot project to be implemented in a manner that would cause the state to be out of compliance with any requirements for a program funded in whole or in part with federal funds.

Same as the Executive.

Fiscal effect: None. Fiscal effect: Same as the Executive.

Department of Developmental Disabilities

Executive As Reported By House Finance

DDDCD12 Nonfederal share of ICF/IID services

Section: 261.130

Requires the DODD Director to pay the nonfederal share of a claim for ICF services using funds otherwise allocated to county DD boards if (1) Medicaid covers the services, (2) the services are provided to a Medicaid recipient who is eligible for the services and who does not occupy a bed in the ICF that used to be included in the Medicaid-certified capacity of another ICF certified before June 1, 2003, (3) the services are provided by an ICF whose Medicaid certification was initiated or supported by a county DD board, and (4) the provider has a valid Medicaid provider agreement for the time the services are provided.

Requires the DODD Director to use certain funds from GRF ALI 653407, Medicaid Services, to pay any claims.

Section: 261.130

Same as the Executive.

Same as the Executive.

DDDCD13 Payment rates for homemaker/personal care services provided to qualifying IO enrollees

Section: 261.140

Provides that, for the first 12 months of the biennium that homemaker/personal care services are provided to a qualifying Individual Options (IO) Waiver Program enrollee, the Medicaid payment rate for each 15 minutes of services provided to the qualifying enrollee be 52 cents higher than the Medicaid payment rate for each 15 minutes of such services provided to an IO enrollee who is not a qualifying enrollee.

Specifies that portions of GRF ALI 653407, Medicaid Services, and Fund 3A40 ALI 653654, Medicaid Services, are to be used to pay the Medicaid payment rate determined for routine homemaker/personal care services provided to qualifying IO enrollees.

Fiscal effect: The provision is a continuation of current policy. The fiscal impact depends on service utilization and the number of individuals who qualify for the increased rate.

Same as the Executive.

261.140

Section:

Same as the Executive.

Fiscal effect: Same as the Executive.

Department of Developmental Disabilities	Main Operating Appropriations Bill H.B. 33
Executive	As Reported By House Finance
DDDCD14 Competitive wages for direct care workforce of Medicaid services	
Section: 261.150	Section: 261.150
Requires provider rate increases be used for increased wages and needed workforce supports.	Same as the Executive.
Provides that the increased wages and workforce supports are to be funded from the DODD, ODM, and ODA budgets.	Same as the Executive.
Fiscal effect: Estimated annual impact of \$375 million (all funds).	Fiscal effect: Same as the Executive.
DDDCD18 Direct Support Professional Quarterly Retention Payments Program	
Section: 261.160	Section: 261.160
Establishes the Direct Support Professional Quarterly Retention Payments Program to be administered by DODD during FY 2024 and FY 2025.	Same as the Executive.
Allows a portion of Fund 5Z10 ALI 653624, County Board Waiver Match, and Fund 3A40 ALI 653654, Medicaid Services, to be used for the program.	Same as the Executive.
Fiscal effect: This provision is a continuation of current policy. The fiscal impact depends on waiver service claims paid in each quarter of the fiscal year.	Fiscal effect: Same as the Executive.

Depar	Department of Developmental Disabilities			Main Operating Appropriations Bill H.B. 33		
Executive			As Reported By House Finance			
OBMCD1	2 Eliminate certain reporting requirements					
R.C.	126.30, 131.02, 153.17, 3333.021, 3333.12, 3333.122, 5123.0412, 5727.28, 5727.42, 5727.91, Repealed: 131.38		R.C.	126.30, 131.02, 153.17, 3333.021, 3333.12, 3333.122, 5123.0412, 5727.28, 5727.42, 5727.91, Repealed: 131.38		
Eliminates the following reporting requirements for agencies to submit certain information to OBM:			Same as th	e Executive.		
(1) Interest charges paid related to an agency's purchase or lease of goods or services;			(1) Same a	s the Executive.		
(2) Unpa	id amounts due to the state that an agency is unable to collect;	I	(2) Same a	s the Executive.		
(3) Infor	mation on segregated custodial funds maintained by an agency;	ĺ	(3) Same a	s the Executive.		
	ication, by the owner of a public work, of execution of a takeover for the takeover of a defaulted public works contract;		(4) Same a	s the Executive.		
(5) Refui	nds of certain higher education grants provided by ODHE;	ı	(5) Same a	s the Executive.		
(6) Tax refunds to certain entities.			(6) Same a	s the Executive.		
analysis the ODH	s OBM from the list of recipients required to receive a fiscal prior to the implementation of any action or adoption of a rule by E Chancellor expected to have an effect on the revenue or tures of any university.		Same as th	e Executive.		
	s the requirement that DODD submit an annual report to OBM on of the DODD's Administration and Oversight Fund.		Same as th	e Executive.		

Fiscal effect: Same as the Executive.

to reduced reporting requirements.

Fiscal effect: Negligible reduction in statewide agency expenditures due

Department of Developmental Disabilities			Main Operating Appropriations Bill H.B. 33		
Executive			As Reported By House Finance		
KIDCD1	Creation of the Department of Children and Youth				
R.C.	5180.01, 121.02, 121.03, 121.35, 121.37, 121.40, 3109.15-3109.17, 3109.179, 5101.34-5101.342, 5180.02, Sections 130.10-103.16 and 423.140	R.C.	5180.01, 121.02, 121.03, 121.35, 121.37, 121.40, 3109.15-3109.17, 3109.179, 5101.34-5101.342, 5180.02, Sections 130.10-103.16 and 423.140		
Creates DCY on July 1, 2023, to serve as the state's primary children's services agency and establishes the position of DCY Director.		Same as the Executive.			
Requires DCY to facilitate and coordinate the delivery of children's services in Ohio.		Same as the Executive.			
Addresses the transfer of duties to DCY relating to children's services, including by doing the following:		Same as the Executive.			
OhioMH to transf	iring specified Directors (DCY, ODJFS, ODE, ODH, DODD, ODM, AS, and DEV), or their designees, to identify and develop a plan er children's services duties, functions, programs, and staff to anuary 1, 2025.	(1) San	ne as the Executive.		
(2) Transferring to the new DCY 90 days after the bill's effective date responsibilities currently charged to ODJFS regarding the Ohio Family and Children First Cabinet Council, the Children's Trust Fund Board, and the Ohio Commission on Fatherhood.		(2) Same as the Executive.			
impleme including Allows th transfer	the OBM Director to make budget and accounting changes to ent the transfer of duties, functions, and programs to DCY, grenaming, transferring, creating, and consolidating funds. The OBM Director to also cancel or establish encumbrances and appropriations between impacted agencies as necessary.	Same a	as the Executive.		
	fect: There will be administrative costs to develop a plan to	Fiscal 6	effect: Same as the Executive.		

reflected in DCY's budget.

facilitate this transfer. There will also be costs to establish the office (e.g. office space, supplies, etc.). Staff will be transferred from other impacted agencies, so associated personnel costs will instead be

Executive

Community Social Service Programs KIDCD14

Section: 423.110

Allows a portion of Fund 3250 ALI 830609, Community Social Service Programs, in coordination with DODD, to be used by the Early Intervention Services Advisory Council for the following purposes, in addition to other necessary and allowed uses of funds: (1) conduct forums and hearings; (2) reimburse council members for certain reasonable and necessary expenses; (3) pay compensation to a council member if the member is not employed or must forfeit wages when performing official council business; (4) hire staff; and (5) obtain the services of professional, technical, and clerical personnel as necessary.

Specifies that council members must otherwise serve without compensation or reimbursement.

As Reported By House Finance

Section: 423,110

Same as the Executive.

Executive

R.C.

As Reported By House Finance

Electronic notification, meeting, and data storage law changes **GOVCD3**

127.15, 173.03, 753.19, 1121.38, 1509.06, 1513.071, 1513.08, 1513.16, 1565.12, 1571.05, 1571.08, 1571.10, 1571.14, 1571.15, 1571.16, 1707.02, 1707.04, 1707.042, 1707.091, 1707.11, 1707.43, 1733.16, 2941.401, 3111.23, 3301.05, 3302.04, 3310.521, 3313.41, 3313.818, 3314.21, 3319.081, 3319.11, 3319.16, 3319.291, 3319.311, 3321.13, 3321.21, 3704.03, 3734.02, 3734.021, 3734.575, 3746.09, 3752.11, 3772.031, 3772.04, 3772.11, 3772.12, 3772.13, 3772.131, 3781.08, 3781.11, 3781.25, 3781.29, 3781.342, 3904.08, 4121.19, 4123.512, 4123.52, 4125.03, 4141.09, 4141.47, 4167.10, 4301.17, 4301.30, 4303.24, 4507.081, 4508.021, 4509.101, 4510.03, 4510.41, 4735.13, 4735.14, 5107.161, 5120.14, 5165.193, 5165.86, 5166.303, 5168.08, 5168.22, 5168.23, 5525.01, 5703.37, 5709.83, 5736.041, 5751.40, 1509.031, 3745.019, Repealed: R.C. 5123.195

Implements a 2020 initiative of the Common Sense Initiative to make changes throughout the Revised Code to partly reflect the advancements in technology related to notifications, meetings, data storage, and certain other government functions. (For more detailed analysis of these changes, please see the Electronic Notification and Meetings section (pages 311-338) of the LSC Bill Analysis for H.B. 33.)

Makes specific changes, including removal of obsolete provisions, to facilitate the use of electronic communications, including websites, in the daily operations for the following entities: CAC, COM, DODD, ODE, Ohio EPA, INS, ODJFS, ODPS, PUCO, TAX, ODOT, and ODWIS.

Modifies the type of communication media through which a required notice of events or services may be made by generally adding the option of electronic, including email, delivery or mail delivery by a commercial/common carrier and removing the outdated telegraph method for the following entities: CEB, CAC, COM, ODE, Ohio EPA, ODJFS, ODM, ODNR, PUCO, DRC, ODWIS, and municipalities.

R.C. 127.15, 173.03, 753.19, 1121.38, 1509.06, 1513.071, 1513.08, 1513.16, 1565.12, 1571.05, 1571.08, 1571.10, 1571.14, 1571.15, 1571.16, 1707.02, 1707.04, 1707.042, 1707.091, 1707.11, 1707.43, 1733.16, 2941.401, 3111.23, 3301.05, 3302.04, 3310.521, 3313.41, 3313.818, 3314.21, 3319.081, 3319.11, 3319.16, 3319.291, 3319.311, 3321.13, 3321.21, 3704.03, 3734.02, 3734.021, 3734.575, 3746.09, 3752.11, 3772.031, 3772.04, 3772.11, 3772.12, 3772.13, 3772.131, 3781.08, 3781.11, 3781.25, 3781.29, 3781.342, 3904.08, 4121.19, 4123.512, 4123.52, 4125.03, 4141.09, 4141.47, 4167.10, 4301.17, 4301.30, 4303.24, 4507.081, 4508.021, 4509.101, 4510.03, 4510.41, 4735.13, 4735.14, 5107.161, 5120.14, 5165.193, 5165.86,

5166.303, 5168.08, 5168.22, 5168.23, 5525.01, 5703.37, 5709.83,

5736.041, 5751.40, 1509.031, 3745.019, Repealed: R.C. 5123.195

Same as the Executive.

Same as the Executive.

Executive

Permits meeting via electronic means, instead of in-person meetings, on specified matters provided that the meetings still allow for interactive public attendance for the following entities: Ohio Advisory Council for the Aging, Internet- or computer-based community schools, school districts or other public schools, ODPS-Register of Motor Vehicles, counties, townships, and municipalities. Permits or requires the establishment of electronic means of submission

Permits or requires the establishment of electronic means of submission for such services as licensure, approvals, and other by the following entities: ODNR's Division of Oil and Gas Resources Management, school districts, ODE, solid waste management districts, and courts of record.

Modifies or removes references related to creating or retaining stenographic records of certain proceedings for the following entities: COM, ODNR, ODE, school districts, Ohio EPA, and ODWIS.

Fiscal effect: TAX has estimated savings of approximately \$3.4 million per year for the agency. Ohio EPA has estimated annual savings of over \$750,000. Other affected state agencies will also likely realize some administrative cost savings as will affected local governments.

As Reported By House Finance

Same as the Executive.

Same as the Executive.

Same as the Executive.

Fiscal effect: Same as the Executive.

expenditures.

Department of Developmental Disabilities

Executive As Reported By House Finance

MCDCD15 Home and community based services appropriations - federal

Section: 333.160

Permits the OBM Director to authorize additional expenditures in Fund 3HC8 ALIs 651699, MCD Home and Community Based Services – Federal, 653699, DDD Home and Community Based Services – Federal, 652699, MHA Home and Community Based Services – Federal, 655699, JFS Home and Community Based Services – Federal, and 656699, AGE Home and Community Based Services – Federal, conditional on the additional expenditures being offset by equal expenditure reductions in another of these identified line items.

Section: 333.160

Same as the Executive.

Stipulates that any additional expenditures be used in accordance with federal rules and comply with ODM's Medicaid state plan approved by the federal government. Appropriates any additional expenditures.

Same as the Executive.

MCDCD22 Competitive wages for direct care workforce of Medicaid services

Section: 333.230

Requires ODM, in collaboration with ODA and DODD, to use provider rate increase funding included in the bill to ensure workforce stabilities and greater access to care for Medicaid recipients through increased wages and workforce supports.

Section: 333.230