



# COMPARISON DOCUMENT

## *Amended Substitute House Bill 15* *House Bill 16*

*128th General Assembly*

*Budget Bills for the*  
*Bureau of Workers' Compensation,*  
*the Workers' Compensation Council,*  
*and the Ohio Industrial Commission*  
**(FY 2010 – FY 2011)**

**As Passed by the House of Representatives**

**Legislative Service Commission**

**April 6, 2009**

## Executive

## As Passed by the House

## 1      BWC - 11      Payments to the Deputy Inspector General

R.C.      *121.52, Section 211*

Creates the Deputy Inspector General for the BWC and OIC Fund (Fund 5FT0) to pay the operating costs associated with the Deputy Inspector General for BWC and OIC.

Requires the Inspector General to bill BWC and OIC on a quarterly basis for costs associated with the Deputy Inspector General and requires BWC and OIC to pay these costs via Intrastate transfer voucher (ISTV).

Requires the Director of Budget and Management to transfer \$106,000 cash in FY 2010 from the Workers' Compensation Fund (Fund 7023) to Fund 5FT0 and appropriates this amount.

Limits the total reimbursement from BWC and OIC to \$425,000 in each fiscal year, but allows BWC and OIC to seek Controlling Board approval for additional appropriations if they are needed.

R.C.      *121.52, Section 211*

Same as the Executive.

Same as the Executive, but establishes the quarterly billing and reimbursement method in codified rather than uncodified law.

Same as the Executive.

Same as the Executive.

## 2      BWC - 1      Workers' Compensation Board Appointment Process

R.C.      *4121.12*

Requires the BWC Board of Directors Nominating Committee to submit a list of potential replacements to fill a vacancy on the Board to the Governor at least 30 days before the vacancy occurs, rather than within 60 days after the vacancy occurs as currently required by law.

R.C.      *4121.12*

Same as the Executive, but specifies that if the Governor appoints an individual to fill a vacancy that is the result of a term expiration, the newly appointed individual will begin service as a Board member when the term for which the individual's predecessor was appointed expires or immediately upon appointment by the Governor, whichever ever occurs later.

## Executive

## As Passed by the House

## 3      BWC - 14      Annual Investment Report

No provision.

R.C.      4121.12

Requires the BWC Board of Directors to submit an annual report on the performance and value of each investment class to the Workers' Compensation Council in addition to those persons specified in continuing law.

## 4      BWC - 3      Annual Actuarial Report

R.C.      4121.125

Requires the Bureau of Workers' Compensation Board of Directors to submit its annual actuarial report of the previous fiscal year to the Workers' Compensation Council and the appropriate Standing committees of the House of Representatives and the Senate on or before November 1, instead of September 1 as under current law.

R.C.      4121.125

Same as the Executive.

## 5      BWC - 2      BWC Division of Rehabilitation

R.C.      4121.62, 4121.70

Removes the authority of the Administrator of Workers' Compensation to establish the Division of Rehabilitation within BWC and all associated Revised Code provisions.

**Fiscal effect: The BWC Division of Rehabilitation in BWC was abolished in a previous reorganization of the Bureau's medical claims management operations. Therefore, this provision has no fiscal effect.**

R.C.      4121.62, 4121.70

Same as the Executive.

**Fiscal effect: Same as the Executive.**

## Executive

## As Passed by the House

**6      BWC - 10      Disposition of Surplus Account****R.C.      4123.34**

Makes the existing Surplus Fund an account within the State Insurance Fund. Grants the Administrator of Workers' Compensation the authority to transfer the portion of the State Insurance Fund to the Surplus Fund Account as necessary to guarantee the solvency of the Fund and the Account. Eliminates the requirement that 10% of the money paid into State Insurance Fund be set aside to create the surplus and the limits specified for the amount of money that must be allocated to the surplus. Deems various references to the Surplus Fund or the statutory surplus as references to the Surplus Fund Account.

**R.C.      4123.34**

Same as the Executive, but specifies that the Administrator of Workers' Compensation is responsible for determining how much should be transferred from the Surplus Fund Account in order to satisfy the needs of the Account and to guarantee the solvency of the State Insurance Fund and the Account.

**7      BWC - 4      William Green Lease Payments****Section:    201**

Requires that appropriation item 855401, William Green Lease Payments, be used for lease payments to the Ohio Building Authority in fiscal years 2010 and 2011. Specifies that up to \$41,123,100 be used for such lease payments and provides for additional appropriations to be made for this purpose if necessary.

Requires all other tenants of the William Green Building not funded by Workers' Compensation Fund (Fund 7023) appropriations to pay their share of the costs of lease payments into the Workers' Compensation Fund via intrastate transfer voucher (ISTV).

**Section:    201**

Same as the Executive, but changes the amount to \$38,921,190 to correctly reflect the total appropriated to this line item over the FY 2010-FY 2011 biennium.

Same as the Executive.

## Executive

## As Passed by the House

**8      BWC - 5      Workers' Compensation Fraud Unit****Section: 201**

Specifies that the Workers' Compensation Fund (Fund 1950) used by the Attorney General's Office (AGO) is to receive quarterly payments from BWC to fund the expenses of AGO's Workers' Compensation Fraud Unit. Earmarks \$796,346 in each fiscal year of Fund 7023 appropriation item 855410, Attorney General Payments, for these payments.

**Section: 201**

Same as the Executive, but increases the earmark to \$828,200 in each fiscal year.

**9      BWC - 6      Safety and Hygiene****Section: 201**

Requires cash transfers from the State Insurance Fund (Fund 7023) to the Safety and Hygiene Fund (Fund 8260) as necessary to provide appropriation item 855609, Safety and Hygiene Operating, with \$20,734,750 in both fiscal years.

**Section: 201**

Same as the Executive.

**10      BWC - 7      OSHA On-Site Consultation Program****Section: 201**

Allows BWC to designate a portion of Fund 8260 appropriation item 855609, Safety and Hygiene Operating, to be used to match federal funding for the federal Occupational and Health Administration's (OSHA) on-site consultation program.

**Section: 201**

Same as the Executive.

## Executive

## As Passed by the House

11	BWC - 8	Vocational Rehabilitation	Section: 201	Requires BWC to enter into an interagency agreement with the Rehabilitation Services Commission for the provision of vocational rehabilitation services and staff to mutually eligible clients. Requires BWC to provide \$605,407 in FY2010 and in FY2011 from the State Insurance Fund for this purpose.	Section: 201	Same as the Executive.
12	BWC - 9	Workers' Compensation Fund Balance	Section: 201	Requires that any unencumbered cash balance in excess of \$45,000,000 in the State Insurance Fund (Fund 7023) at the end of each fiscal year be used to reduce the administrative cost assessments charged to employers.	Section: 201	Same as the Executive.
13	BWC - 13	Workers' Compensation Council Funding	No provision.	No provision.	Section: 203	Specifies that Fund 5FV0 appropriation item 321600, Remuneration Expenses, be used to pay for the payroll expenses of the Workers' Compensation Council (WCC). Requires the Administrator of Workers' Compensation, between July 1, 2009 and December 31, 2009, to direct the Treasurer of State to transfer \$325,000 cash from the Workers' Compensation Fund (Fund 7023) to the Workers' Compensation Council Fund (Fund 5FV0) created in section 4121.79 of the Revised Code.

## Executive

## As Passed by the House

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**Fiscal effect: The bill appropriates \$471,200 for WCC in each fiscal year. It increases BWC's Fund 7023 appropriation item 855410, Administrative Services, by \$325,000 to accommodate a transfer of the same amount from Fund 7023 to Fund 5FV0. The \$325,000 transferred to Fund 5FV0 will be used to cover all of WCC's operating costs for the first six months of FY 2010. Thereafter, WCC's operating costs will be paid through assessments charged to employers.**

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## Executive

## As Passed by the House

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14      OIC - 1      Rent - William Green Building

**Section: 101**

Requires that Fund 5W30 appropriation item 845402, Rent - William Green Building, be used for rent and operating expenses for the space occupied by the Industrial Commission in the William Green Building.

**Section: 101**

Same as the Executive.

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