

Executive	As Passed by the House	As Passed by the Senate	As Enacted
<p>1 AGE - 15 Ohio Community Service Council</p>			
<p>R.C. <i>121.40, 121.401 and 121.402</i></p>	<p>R.C. <i>121.40, 121.401 and 121.402</i></p>	<p>R.C. <i>121.40, 121.401 and 121.402</i></p>	<p>R.C. <i>121.40, 121.401 and 121.402</i></p>
<p>Requires the Council, when appointing an Executive Director, to do so with the advice and consent of the Governor.</p>	<p>Same as the Executive.</p>	<p>No provision.</p>	<p>Same as the Executive, but requires that the Governor be informed before the appointment of an Executive Director, instead of requiring the Governor's advice and consent regarding the appointment.</p>
<p>Removes the Department of Aging as the Council's fiscal agent. Instead, requires the Council to enter into a written agreement with another state agency to serve as the fiscal agent. Eliminates the prohibition that the Council's fiscal agent approves any payroll or other personnel related documents, or any biennial budget, grant, expenditure, audit, or other fiscal-related document. Specifies that the agreement must specify all fiscal matters and financial transactions for which the fiscal agent will be responsible. Requires the Council to work with and consult with the fiscal agent with regard to the Council's fiscal matter and to follow all state fiscal, human resources, statutory, and administrative rule requirements.</p>	<p>Same as the Executive.</p>	<p>Same as the Executive, but removes the requirement that when the Council enters into a written agreement with another state agency to serve as its fiscal agent, it does so with the Governor's advice and consent.</p>	<p>Same as the Executive, but requires that the Governor be informed before any agreement designating another state agency to serve as the fiscal agent, instead of requiring the Governor's advice and consent regarding the agreement.</p>
<p>Adds the Director of the Governor's Office of Faith-based and Community Initiatives to the Ohio Community Service Council as a nonvoting member.</p>	<p>Same as the Executive.</p>	<p>Same as the Executive.</p>	<p>Same as the Executive.</p>

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<p>Fiscal effect: The Department may realize a minimal decrease in administrative costs.</p>	<p>Fiscal effect: Same as the Executive.</p>	<p>Fiscal effect: Same as the Executive.</p>	<p>Fiscal effect: Same as the Executive.</p>

2 AGE - 2 Civil Penalties Against Long-Term Care Providers

R.C. 173.28

Permits the Director of Aging to impose civil fines for violating prohibitions against (1) subjecting a long-term care facility resident or community long-term care services recipient to retaliation for filing a complaint or (2) denying the Long-Term Care Ombudsperson access to a long-term care facility or community-based long-term care site to investigate a complaint.

Provides that the imposition of civil fines may be in lieu of the existing criminal fines for violating the prohibitions, and requires the Attorney General to collect unpaid civil fines.

R.C. 173.28

Same as the Executive.

Same as the Executive.

R.C. 173.28

Same as the Executive.

Same as the Executive.

R.C. 173.28

Same as the Executive.

Same as the Executive.

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<p>Fiscal effect: There could be a decrease in local prosecutorial costs if the Department of Aging fines a long-term care provider for violations rather than seeks action through the criminal courts. As a result, local courts would lose the fine revenues associated with these cases. Instead, these fines would be deposited into the Regional Long-Term Care Ombudsman Program Fund (Fund 4C40), used by the Department. The amount deposited would depend on the number of violations. The Attorney General's Office may realize an increase in costs if the Office is required to prosecute cases to collect any unpaid fines.</p>	<p>Fiscal effect: Same as the Executive.</p>	<p>Fiscal effect: Same as the Executive.</p>	<p>Fiscal effect: Same as the Executive.</p>

3 AGE - 1 Community-Based Long-Term Care Services

R.C. 173.392

Expressly provides that a community-based long-term care agency is not required to be certified in order to receive payment from the Department of Aging if the agency has a grant agreement with the Department or the Department's designee to provide community-based long-term care services.

Expressly requires the Director of Aging to adopt rules governing grant agreements regarding the services.

R.C. 173.392

Same as the Executive.

Same as the Executive.

R.C. 173.392

Same as the Executive.

Same as the Executive.

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Same as the Executive.

Same as the Executive.

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<p>Extends the Director's rulemaking authority regarding contracts and grant agreements by including those that are entered into by the Department's designee.</p> <p>Fiscal effect: There could be a minimal increase in costs associated with rulemaking.</p>	<p>Same as the Executive.</p> <p>Fiscal effect: Same as the Executive.</p>	<p>Same as the Executive.</p> <p>Fiscal effect: Same as the Executive.</p>	<p>Same as the Executive.</p> <p>Fiscal effect: Same as the Executive.</p>
4 AGE - 34 PASSPORT Home First Report			
<p>No provision.</p>	<p>R.C. 173.401</p> <p>Eliminates a requirement that the ODJFS Director report annually on the number of individuals enrolled in PASSPORT, which the Department of Aging administers, pursuant to the home first process and the costs incurred and savings achieved as a result of the enrollments.</p> <p>Fiscal effect: The Departments may realize a minimal decrease in administrative costs.</p>	<p>R.C. 173.401</p> <p>Same as the House.</p> <p>Fiscal effect: Same as the House.</p>	<p>R.C. 173.401</p> <p>Same as the House.</p> <p>Fiscal effect: Same as the House.</p>
5 AGE - 37 Kosher Home-Delivered Meals under the PASSPORT Program			
<p>No provision.</p>	<p>No provision.</p>	<p>R.C. 173.402</p> <p>Establishes requirements regarding kosher home-delivered meals provided under the PASSPORT Program and requires that the reimbursement rate for kosher home-delivered meals equal the reimbursement rate for home-delivered therapeutic meals.</p>	<p>R.C. 173.402</p> <p>Same as the Senate.</p>

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		<p>Fiscal effect: Therapeutic home-delivered meals are reimbursed at a higher rate than other home-delivered meals. Thus, if certain areas are not currently offering kosher home-delivered meals it is possible that meal reimbursements could increase. The increase would depend on the number of kosher meals requested.</p>	<p>Fiscal effect: Same as the Senate.</p>
<p>6 AGE - 33 Statewide Expansion of Choices Program</p>			
<p>No provision.</p>	<p>R.C. 173.402</p> <p>Requires that the Choices Program be available statewide, subject to federal approval.</p> <p>Fiscal effect: The Choices Program is funded with moneys appropriated to PASSPORT and the program is only open to individuals currently on PASSPORT. Choices consumers typically have higher average per member per month costs than PASSPORT consumers. Thus, there could be an increase in expenditures for those consumers who decide to enroll in Choices.</p>	<p>R.C. 173.403</p> <p>Same as the House, but codifies the provision in a different Revised Code section.</p> <p>Fiscal effect: Same as the House.</p>	<p>R.C. 173.403</p> <p>Same as the Senate.</p> <p>Fiscal effect: Same as the House.</p>

Executive

As Passed by the House

As Passed by the Senate

As Enacted

7 AGE - 32 Restriction on Certain State Plan Services

No provision.

R.C. 173.403

Provides that an individual enrolled in a Medicaid waiver program the Department of Aging administers may not receive home health services, private duty nursing services, durable medical equipment, services of a clinical nurse specialist, or services of a certified nurse practitioner unless those Medicaid state plan services are provided in conjunction with Medicaid case management services.

Fiscal effect: If this is not currently done, it is possible that there could be a reduction in expenses in any Medicaid waiver program administered by the Department of Aging since Medicaid case management may decrease duplicative or unnecessary service allotments.

No provision.

No provision.

Executive	As Passed by the House	As Passed by the Senate	As Enacted
<p>8 AGE - 7 Long-Term Care Consultations</p>			
<p>R.C. 173.42 Requires the Long-Term Care Consultation Program to be administered in a manner that includes (1) coordination and collaboration regarding funding, (2) assessments of service needs, (3) assessments of on-going eligibility for services, (4) assistance in accessing and coordinating services, (5) procedures for monitoring the provision of health and long-term care services and supports, including the quality and cultural competence of the services and supports, and (6) priorities for using resources efficiently and effectively.</p>	<p>R.C. 173.42, 173.421 - 173.425 Same as the Executive, but requires the program to be administered in a manner that includes procedures for monitoring the quality of long-term care services and supports and the health and welfare of individuals receiving the services and supports (rather than procedures for monitoring the provision of health and long-term care services and supports). Requires that the procedures include procedures for assessing the extent to which long-term care services and supports are provided in a culturally competent manner (rather than procedures for monitoring the quality and cultural competence of the services and supports).</p>	<p>R.C. 173.42, 173.421 - 173.425 Same as the House, but (1) does not require the program to include procedures for monitoring the quality of services and supports, including assessment of whether the services and supports were provided in a culturally competent manner, and (2) includes Medicaid waiver components administered by the Department of Aging within a provision requiring the program to include procedures for assisting individuals in obtaining access to, and coordination of, health and supportive services.</p>	<p>R.C. 173.42, 173.421 - 173.425 Same as the Senate.</p>
<p>Requires that a consultation be provided to (1) each nursing facility resident, in place of the current requirement that is based on a resident's potential eligibility for Medicaid and (2) each individual identified as being likely to benefit from a consultation and, for this purpose, grants the Department of Aging or a program administrator access to nursing facility resident assessment data.</p>	<p>Same as the Executive, but permits rather than requires that a consultation be provided to each nursing facility resident.</p>	<p>Same as the House.</p>	<p>Same as the House.</p>
<p>Eliminates the requirement to provide a written summary of each consultation.</p>	<p>Same as the Executive.</p>	<p>Same as the Executive.</p>	<p>Same as the Executive.</p>

Executive	As Passed by the House	As Passed by the Senate	As Enacted
Permits the Director of Aging to fine a nursing facility for denying access to the facility or a resident as needed to perform a consultation or implement the program and requires the Director to give notice and an opportunity for a hearing before imposing any fine.	Same as the Executive.	Same as the Executive.	Same as the Executive.
Authorizes the adoption of additional rules regarding: (1) criteria and procedures for identifying and recommending service options, (2) types of nursing facility information needed to assist a resident with relocation, and (3) standards to prevent conflicts of interest relative to referrals made by persons providing consultations.	Same as the Executive.	Same as the Executive.	Same as the Executive.
No provision.	Permits the Department to establish, as part of the program, procedures for periodic or follow-up consultations for nursing facility residents.	Same as the House.	Same as the House.
No provision.	Requires the Department or entity administering the program, as part of the program, to assist an individual or individual's representative in accessing all sources of care and services that are appropriate and for which the individual is eligible.	Same as the House.	Same as the House.
No provision.	Requires the Department or entity administering the program to monitor individuals who are the subject of a consultation and elect to receive certain Medicaid-covered home and community-based services.	Same as the House.	Same as the House.

Executive	As Passed by the House	As Passed by the Senate	As Enacted
No provision.	Requires the Department to develop and implement procedures necessary to comply with federal law if, under federal law, an individual's eligibility for certain Medicaid-covered home and community-based services is dependent on an evaluation of the individual's needs and capabilities and an individualized plan of care or services.	Same as the House.	Same as the House.
No provision.	Requires the Department to prepare an annual report regarding individuals who are the subjects of consultations and elect to receive certain Medicaid-covered home and community-based services.	Same as the House.	Same as the House.
<p>Fiscal effect: These provisions could increase the number of long-term care consultations performed and thus increase costs for the Department of Aging. However, if more consultations are performed then it is possible that services may be more efficiently allocated, which could ultimately save costs for the Department. The Department may realize an increase in fine revenue for denying access to the facility or to a resident as needed to perform consultations. Minimal administrative savings could occur for entities conducting the consultations due to the elimination of the requirement to provide a written summary of each consultation performed.</p>	<p>Fiscal effect: Same as the Executive, but since the consultations for nursing facilities are permissive, the Department will perform them as appropriations allow. Costs could increase for provisions requiring the Department to assist individuals in accessing all appropriate sources of care and services and monitoring individuals who have received a consultation and received certain Medicaid services. Minimal increases in administrative costs could occur as a result of the provision requiring the Department to prepare an annual report regarding individuals who are subjects of consultations and elect to receive certain Medicaid services.</p>	<p>Fiscal effect: Same as the House.</p>	<p>Fiscal effect: Same as the House.</p>

Executive	As Passed by the House	As Passed by the Senate	As Enacted
<p>9 AGE - 3 Home First Process for PACE</p>			
<p>R.C. 173.501, 173.50</p>	<p>R.C. 173.501, 173.50</p>	<p>R.C. 173.501, 173.50</p>	<p>R.C. 173.501, 173.50</p>
<p>Establishes a home first process for the Program for All-Inclusive Care (PACE) under which an individual who is admitted to a nursing facility while on a waiting list for PACE is to be enrolled in the program in accordance with priorities established in rules if it is determined that PACE is appropriate for the individual and the individual would rather participate in PACE than continue residing in the nursing facility.</p>	<p>Same as the Executive.</p>	<p>Same as the Executive.</p>	<p>Same as the Executive.</p>
<p>Requires the Director of Aging to report annually on the number of individuals enrolled in PACE pursuant to the home first process and the costs incurred and savings achieved as a result of the enrollments.</p>	<p>No provision.</p>	<p>No provision.</p>	<p>No provision.</p>
<p>Fiscal effect: If individuals are enrolled into PACE and thus diverted from nursing homes, there could be savings to the state since PACE service costs are lower than nursing home service costs. The savings would depend upon the number of individuals diverted.</p>	<p>Fiscal effect: Same as the Executive, but there could be minimal savings as a result of the elimination of the report requirement.</p>	<p>Fiscal effect: Same as the House.</p>	<p>Fiscal effect: Same as the House.</p>

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10 AGE - 8 Brain Injury Advisory Committee			
R.C. 3304.231 Adds the Director of Aging to the Brain Injury Advisory Committees.	R.C. 3304.231 Same as the Executive.	R.C. 3304.231 Same as the Executive.	R.C. 3304.231 Same as the Executive.
Fiscal effect: None.	Fiscal effect: Same as the Executive.	Fiscal effect: Same as the Executive.	Fiscal effect: Same as the Executive.
11 AGE - 36 Consolidated Federal Medicaid Waiver			
No provision.	R.C. 5111.861, 173.40, 173.401, 173.402, 173.403, 5111.89, 5111.891, 5111.894, 5111.971 Requires the ODJFS Director to seek federal approval to consolidate the Assisted Living Program, Choices Program, and PASSPORT Program into one Medicaid waiver.	R.C. 5111.861, 173.40, 173.401, 173.403, 173.404, 5111.89, 5111.891, 5111.894, 5111.971 Same as the House.	R.C. 5111.861, 173.40, 173.401, 173.403, 173.404, 5111.89, 5111.891, 5111.894, 5111.971 Same as the House.
No provision.	Requires those programs to be operated as separate Medicaid waivers until the state receives federal approval for the consolidated Medicaid waiver. Fiscal effect: Potential minimal decrease in administrative expenses due to the fact that ODA will not have to renew each waiver separately.	Same as the House, but codifies the provision regarding the Choices Program in a different Revised Code section. Fiscal effect: Same as the House.	Same as the Senate. Fiscal effect: Same as the House.

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12 AGE - 14 Long-Term Care			
Section: 209.20	Section: 209.20	Section: 209.20	Section: 209.20
Specifies that the Department of Aging is required to provide long-term care consultations to assist individuals in planning for long-term health care needs. GRF appropriation item 490423, Long Term Care Budget - State, and FED 3C40 appropriation item 490623, Long Term Care Budget, may be used to provide preadmission screening and resident review.	Same as the Executive.	Same as the Executive.	Same as the Executive.
Specifies that GRF appropriation items 490423, Long Term Care Budget State, and FED Fund 3C40 appropriation item 490623, Long Term Care Budget, may be used to provide long-term care consultations regardless of Medicaid eligibility.	Same as the Executive.	Same as the Executive.	Same as the Executive.
Specifies that GRF appropriation item 490423, Long Term Care Budget State, and FED Fund 3C40 appropriation item 490623, Long Term Care Budget, may be used to provide nonwaiver funded PASSPORT services to persons determined to be eligible to participate in the program, including those persons not yet determined to be financially eligible to participate by a county department of job and family services.	Same as the Executive.	Same as the Executive.	Same as the Executive.
Specifies that the Department is required to administer the PASSPORT, Choices, Assisted Living, and PACE programs as delegated through an interagency	Same as the Executive.	Same as the Executive.	Same as the Executive.

Executive	As Passed by the House	As Passed by the Senate	As Enacted
<p>agreement with the Department of Job and Family Services. Specifies that GRF appropriation item 490423, Long Term Care Budget State, be used for the state match for federal Medicaid funds supporting the previously mentioned programs. Specifies that FED Fund 3C40 appropriation item 490623, Long Term Care Budget, be used for the federal match for all program costs eligible for Medicaid reimbursement. Allows both appropriation items to be used to support the Department of Aging's administrative costs relating to the programs.</p>	<p>Earmarks \$200,000 in GRF appropriation item 490423, Long Term Care State Budget - State, in each fiscal year for the Visiting Nurse Association Health Care Partners of Ohio for the Chronic Disease Management Home Health Aide Workforce Training Program.</p>	<p>No provision.</p>	<p>No provision.</p>

13 AGE - 16 Allocation of PACE Slots

Section: 209.20

Allows the Director of Aging, as appropriate and to the extent funding is available, to allocate funds for the Program for All-Inclusive Care (PACE) between the PACE sites in Cleveland and Cincinnati.

Section: 209.20

Replaces the Executive provision with a provision that specifies that the Director of Aging may expand PACE to regions of Ohio beyond those currently served by the two PACE sites in Cleveland and Cincinnati, but prohibits the Director, when expanding PACE, from reducing the number of PACE slots below 880 for the counties and parts of counties currently participating in PACE.

Section: 209.20

Same as the House, but prohibits the Director of Aging, when expanding PACE, from decreasing the number of PACE participants in currently participating areas below the number enrolled in PACE on July 1, 2008, rather than prohibiting a reduction below 880 slots.

Section: 209.20

Same as the Senate.

Executive	As Passed by the House	As Passed by the Senate	As Enacted
Fiscal effect: None, the provision only allows for funds to be allocated between the two sites.	Fiscal effect: The expansion of PACE sites will be dependent upon available funds and perhaps federal approval.	Fiscal effect: Same as the House.	Fiscal effect: Same as the House.

14 AGE - 28 Home First Program

Section: 209.20

Specifies that on a quarterly basis, on receipt of certified expenditures related to sections 173.401, 173.351, and 5111.894 of the Revised Code, the Director of Budget and Management may do the following:

(1) Transfer cash from SSR Fund 5R20, Nursing Facility Stabilization, used by the Department of Job and Family Services, to SSR Fund 4J40, PASSPORT/Residential State Supplement, used by the Department of Aging;

(2) Authorize additional expenditures from FED Fund 3C40, PASSPORT, when receipts credited exceed appropriated amounts;

(3) Authorize additional expenditures from FED Fund 3G50, Interagency Reimbursement, used by the Department of Job and Family Services, when receipts credited exceed appropriated amounts.

Specifies that individuals placed in the PASSPORT, Assisted Living, Residential State Supplement, and PACE pursuant to this section must be in addition to the individuals placed on these programs during

Section: 209.20

Same as the Executive.

Section: 209.20

Same as the Executive.

Section: 209.20

Same as the Executive.

Executive	As Passed by the House	As Passed by the Senate	As Enacted
FY 2010 and FY 2011 before any transfers to GRF appropriation item 490423, Long Term Care Budget - State, are made.			
15 AGE - 11 Residential State Supplement Program Income and Payment Standards			
Section: 209.30	Section: 209.30	Section: 209.30	Section: 209.30
Specifies the amounts the Department of Aging must use to determine whether an individual is eligible for a payment under the Residential State Supplement Program and the amount each resident is to receive per month.	Same as the Executive.	Same as the Executive.	Same as the Executive.
16 AGE - 12 VETOED Residential State Supplement Workgroup			
Section: 209.30	No provision.	Section: 209.30	Section: 209.30
[***VETOED: Creates the Residential State Supplement Workgroup and requires the Workgroup to examine the sole issue of which state agency is the most appropriate to administer the Residential State Supplement Program.***]		Same as the Executive.	Same as the Executive.
Fiscal effect: None, the members do not receive compensation for duties performed during their time on the Workgroup.		Fiscal effect: Same as the Executive.	Fiscal effect: Same as the Executive.

Executive	As Passed by the House	As Passed by the Senate	As Enacted
17 AGE - 17 Ohio Community Service Council			
<p>Section: 209.30</p> <p>Specifies that GRF appropriation item 490409, AmeriCorps Operations, and FED Fund 3R70 appropriation item 490617, AmeriCorps Programs, must be used in accordance with section 121.40 of the Revised Code.</p>	<p>Section: 209.30</p> <p>Same as the Executive.</p>	<p>Section: 209.30</p> <p>Same as the Executive.</p>	<p>Section: 209.30</p> <p>Same as the Executive.</p>
18 AGE - 19 Senior Community Services			
<p>Section: 209.30</p> <p>Specifies that GRF appropriation item 490411, Senior Community Services, be used for services designated by the Department of Aging and that service priority be given to low-income, frail, and cognitively impaired persons age 60 and over. Provides that cost sharing, including sliding-fee payments, be promoted when possible.</p>	<p>Section: 209.30</p> <p>Same as the Executive.</p>	<p>Section: 209.30</p> <p>Same as the Executive.</p>	<p>Section: 209.30</p> <p>Same as the Executive.</p>

Executive	As Passed by the House	As Passed by the Senate	As Enacted
19 AGE - 20 Transfer of Residential State Supplement Appropriations			
<p>Section: 209.30</p> <p>Specifies that GRF appropriation item 490412, Residential State Supplement, and SSR Fund 4J40 appropriation item 490610, PASSPORT/Residential State Supplement, may be used by the Director of Aging to transfer cash, by intrastate transfer voucher, to SSR Fund 4J50, Home and Community Based Services for the Aged, used by the Department of Job and Family Services. Requires the transferred cash to be used for benefit payments to Residential State Supplement recipients.</p>	<p>Section: 209.30</p> <p>Same as the Executive, but allows the Department of Aging to also transfer cash for the Residential State Supplement (RSS) Program to the Department of Mental Health through an intrastate transfer voucher for RSS benefit payments.</p>	<p>Section: 209.30</p> <p>Same as the House.</p>	<p>Section: 209.30</p> <p>Same as the House, but specifies that the Residential State Supplement Fund (Fund 5CH0), used by the Department of Mental Health, is for training for adult care facilities serving residents with mental illness.</p>
20 AGE - 21 Alzheimer's Respite			
<p>Section: 209.30</p> <p>Specifies that GRF appropriation item 490414, Alzheimer's Respite, is to only be used to fund Alzheimer's disease services under section 173.04 of the Revised Code.</p>	<p>Section: 209.30</p> <p>Same as the Executive.</p>	<p>Section: 209.30</p> <p>Same as the Executive.</p>	<p>Section: 209.30</p> <p>Same as the Executive.</p>

Executive	As Passed by the House	As Passed by the Senate	As Enacted
21 AGE - 22 Alzheimer's Respite - Federal Stimulus			
<p>Section: 209.30 Specifies that GRF appropriation item 490625, Alzheimer's Respite - Federal Stimulus, must only be used to fund Alzheimer's disease services under section 173.04 of the Revised Code.</p>	<p>Section: 209.30 Same as the Executive.</p>	<p>Section: 209.30 Same as the Executive.</p>	<p>Section: 209.30 No provision.</p>
22 AGE - 23 Education and Training			
<p>Section: 209.30 Specifies that GSF Fund 4800 appropriation item 490606, Senior Community Outreach and Education, may be used to provide training to workers in the aging field pursuant to division (G) of section 173.02 of the Revised Code.</p>	<p>Section: 209.30 Same as the Executive.</p>	<p>Section: 209.30 Same as the Executive.</p>	<p>Section: 209.30 Same as the Executive.</p>
23 AGE - 24 Regional Long-Term Care Ombudsman Program			
<p>Section: 209.30 Specifies that SSR Fund 4C40 appropriation item 490609, Regional Long-Term Care Ombudsman, must be used to pay the costs of operating the regional long-term care ombudsman programs designated by the Long-Term Care Ombudsman.</p>	<p>Section: 209.30 Same as the Executive.</p>	<p>Section: 209.30 Same as the Executive.</p>	<p>Section: 209.30 Same as the Executive.</p>

Executive	As Passed by the House	As Passed by the Senate	As Enacted
24 AGE - 25 PASSPORT/Residential State Supplement			
<p>Section: 209.30 Specifies that SSR Fund 4J40 appropriation item 490610, PASSPORT/Residential State Supplement, may be used to fund the Residential State Supplement Program and that the remainder be used for PASSPORT.</p>	<p>Section: 209.30 Same as the Executive.</p>	<p>Section: 209.30 Same as the Executive.</p>	<p>Section: 209.30 Same as the Executive.</p>
25 AGE - 26 Transfer of Appropriations - Federal Independence Services and Federal Aging Grants			
<p>Section: 209.30 Specifies that at the request of the Director of Aging, the Director of Budget and Management may transfer appropriation between FED Fund 3M40 appropriation item 490612, Federal Independence Services, and FED Fund 3220 appropriation item 490618, Federal Aging Grants. Limits the amounts transferred to not exceeding 30% of the appropriation from which the transfer was made. Requires such transfers be reported at the next scheduled Controlling Board meeting.</p>	<p>Section: 209.30 Same as the Executive.</p>	<p>Section: 209.30 Same as the Executive.</p>	<p>Section: 209.30 Same as the Executive.</p>

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26 AGE - 27 Transfer of Resident Protection Funds			
<p>Section: 209.30 Specifies that the Director of Budget and Management may transfer \$600,000 cash in each fiscal year from SSR Fund 4E30, Resident Protection, used by the Department of Job and Family Services, to SSR Fund 5BA0, Ombudsman Support, used by the Department of Aging.</p>	<p>Section: 209.30 Same as the Executive.</p>	<p>Section: 209.30 Same as the Executive.</p>	<p>Section: 209.30 Same as the Executive.</p>
27 AGE - 35 JCFS Community Options			
	<p>Section: 209.30 Makes the following earmarks in GRF appropriation item 490416, JCFS Community Options:</p>		
(1) No provision.	(1) \$80,000 to the Cleveland Jewish Community Center;	(1) No provision.	(1) No provision.
(2) No provision.	(2) \$70,000 to the Cincinnati Jewish Vocational Services;	(2) No provision.	(2) No provision.
(3) No provision.	(3) \$70,000 to the Wexner Heritage Village; and	(3) No provision.	(3) No provision.
(4) No provision.	(4) \$20,000 to the Columbus Jewish Community Center.	(4) No provision.	(4) No provision.

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<p>28 AGE - 13 **PARTIALLY VETOED** Unified Long-Term Care Budget</p>			
<p>Section: 209.40</p>	<p>Sections: 209.40, 173.43, 173.431 - 173.434</p>	<p>Sections: 209.40, 173.43, 173.431 - 173.434</p>	<p>Sections: 209.40, 173.43, 173.431 - 173.434</p>
<p>Creates the Unified Long-Term Care Budget Workgroup and requires the Workgroup to develop a unified long-term care budget.</p>	<p>Same as the Executive.</p>	<p>Same as the Executive, but adds representatives of managed care organizations [**VETOED: , with which ODJFS contracts for purposes of Medicaid managed care, **] appointed by the Governor to the workgroup and requires the continuum of services that are to be facilitated by the budget to promote a consumer's independence and autonomy.</p>	<p>Same as the Senate.</p>
<p>Requires the Directors of Aging and Budget and Management to annually submit a written report describing the progress towards establishing, or if already established, the effectiveness of the unified long-term care budget.</p>	<p>Same as the Executive, but requires the ODJFS Director to work with the Directors of Aging and Budget and Management on the annual report.</p>	<p>Same as the House.</p>	<p>Same as the House.</p>
<p>Allows the Director of Budget and Management to seek Controlling Board approval to transfer cash from SSR Fund 5R20, Nursing Facility Stabilization, used by the Department of Job and Family Services, to SSR Fund 4J40, PASSPORT/Residential State Supplement, used by the Department of Aging. Appropriates any cash transferred to SSR Fund 4J40 appropriation item 490610, PASSPORT/Residential State Supplement.</p>	<p>Same as the Executive.</p>	<p>Same as the Executive.</p>	<p>Same as the Executive.</p>

Executive	As Passed by the House	As Passed by the Senate	As Enacted
No provision.	Provides, subject to federal approval, that (1) the Department of Aging must enter into an interagency agreement with ODJFS under which the Department is to establish for each biennium a unified long-term care budget for home and community-based services covered by Medicaid programs the Department administers, (2) the Department must ensure that the budget covers and expands access to the home and community-based services, and (3) the Department or its designee must provide care management and authorization services with regard to state plan services the budget covers that are provided to participants of a Medicaid waiver the Department administers.	Same as the House, but requires the Department or Department's designee to ensure that persons providing care management and authorization services are properly certified or licensed by the state.	Same as the Senate.
No provision.	Requires the Department of Aging to contract with each area agency on aging for assistance in the administration of the unified long-term care budget.	Same as the House.	Replaces the House provision with a provision that requires the Department to contract with each PASSPORT administrative agency for assistance in the administration of the unified long-term care budget.
Fiscal effect: The Department could experience a minimal increase in administrative expenses.	Fiscal effect: Same as the Executive.	Fiscal effect: Same as the Executive.	Fiscal effect: Same as the Executive.

Executive	As Passed by the House	As Passed by the Senate	As Enacted
<p>29 AGE - 10 Ohio's Best Rx Program</p>	<p>Sections: <i>209.50, R.C. 127.16, 173.70, 173.99, 2921.13, Repealed: R.C. 173.71 - 173.91</i></p>	<p>Sections: <i>209.50, R.C. 127.16, 173.99, 2921.13, Repealed: R.C. 173.71 - 173.91</i></p>	<p>Sections: <i>209.50, R.C. 127.16, 173.70, 173.99, 2921.13, Repealed: R.C. 173.71 - 173.91</i></p>
<p>Discontinues the Best Rx Program and requires the Director of Aging to wind up the program's affairs according to the following timeline: (1) program enrollment ceases on the bill's effective date, (2) previously enrolled persons may purchase drugs until November 15, 2009, (3) program accounts are to be reconciled between November 15, 2009, and January 1, 2010, and (4) all statutes governing the program are repealed on January 1, 2010.</p>	<p>Same as the Executive, but repeals statutes governing the Best Rx Program on July 1, 2009, rather than January 1, 2010, and requires the Director of Aging to conclude the Program's operation within a month of the repeal date, while allowing accounts with drug manufacturers and pharmacies to be settled until October 1, 2009.</p>	<p>Same as the Executive.</p>	<p>Same as the House, but provides for the statutory repeals to take effect on the bill's earliest effective date, rather than July 1, 2009.</p>
<p>No provision.</p>	<p>Permits the Director of Aging to contract with any person for the operation of a drug discount program similar to the Best Rx Program and allows the Director to provide the person with information that identifies individuals who participated in the Best Rx Program.</p>	<p>No provision.</p>	<p>Same as the House.</p>
<p>Abolishes SSR Fund 5AA0, Ohio's Best Rx Administration, on January 1, 2010 and transfers any cash balance to the GRF. Cancels any existing encumbrances against SSR Fund 5AA0 appropriation item 490673, Ohio's Best Rx Administration.</p>	<p>Same as the Executive, but changes the abolishment of Fund 5AA0 to October 1, 2009 and transfers cash from Fund 5AA0 to the GRF on August 1, 2009, with a subsequent and final transfer occurring on October 1, 2009. Specifies that Fund 5AA0 will remain open after August 1, 2009, to allow for accounts to be settled with drug manufacturers and pharmacies.</p>	<p>Same as the Executive.</p>	<p>Same as the House, but changes the cash transfer date to the GRF to the 31st day after the bill's earliest effective date and keeps Fund 5AA0 open after this date to allow for accounts to be settled.</p>

Executive

As Passed by the House

As Passed by the Senate

As Enacted

30 AGE - 18 Long-Term Care Ombudsman

Section: 290.30

Specifies that GRF appropriation item 490410, Long-Term Care Ombudsman, must be used to fund ombudsman program activities as authorized in sections 173.14 to 173.27 and 173.99 of the Revised Code.

Section: 290.30

Same as the Executive.

Section: 290.30

Same as the Executive.

Section: 290.30

Same as the Executive.

Executive

As Passed by the House

As Passed by the Senate

As Enacted

General

31 JFS - 69 Assisted Living Home First Report

No provision.

R.C. 5111.894

Eliminates a requirement that the ODJFS Director report annually on the number of individuals enrolled in the Assisted Living Program pursuant to the home first process and the costs incurred and savings achieved as a result of the enrollments.

Fiscal effect: The Department could realize a minimal decrease in administrative costs.

R.C. 5111.894

Same as the House.

Fiscal effect: Same as the House.

R.C. 5111.894

Same as the House.

Fiscal effect: Same as the House.

Executive	As Passed by the House	As Passed by the Senate	As Enacted
Medicaid			
32 JFS - 9 Nursing Home Franchise Permit Fee			
<p>R.C. 3721.51, 3721.56</p> <p>Increases the franchise permit fee on nursing home beds and hospitals' long-term care beds from \$6.25 per day to \$11.00 per day.</p>	<p>R.C. 3721.51, 3721.50, 3721.511, 3721.512, 3721.513, 3721.53, 3721.55, 3721.56</p> <p>Same as the Executive.</p>	<p>R.C. 3721.51, 3721.50, 3721.511, 3721.512, 3721.513, 3721.53, 3721.55, 3721.56</p> <p>Replaces the Executive provision with a provision that changes the amount of the franchise permit fee to an amount determined by a formula rather than an express dollar amount. (The formula is expected to set the franchise permit fee at \$11.70 per bed per day.)</p>	<p>R.C. 3721.51, 3721.50, 3721.511, 3721.512, 3721.513, 3721.53, 3721.55, 3721.56</p> <p>Replaces the Executive provision with a provision that (1) creates a formula (different from the formula included in the Senate) for determining the franchise permit fee that is based in part on 5.5% of net patient revenues of nursing homes and hospital long-term care units and a base of \$11.95 and (2) requires ODJFS to recalculate the franchise permit fee if the amount assessed for a fiscal year exceeds 5.5% of the actual net patient revenues for all nursing homes and hospital long-term care units for that fiscal year and to credit nursing homes' and hospitals' franchise permit fees for the following fiscal year.</p>
<p>No provision.</p>	<p>Requires ODJFS to seek a federal waiver to (1) reduce the nursing home franchise permit fee to zero dollars for each nursing home that is exempt from state and federal taxation, does not participate in Medicaid or Medicare, and provides services for the life of each resident without regard to the resident's ability to secure payment for the services and (2) reduce, for each nursing facility with more than 200 Medicaid-certified beds, the franchise permit fee for a number</p>	<p>Same as the House, but requires ODJFS to include in the federal waiver request a provision to reduce the franchise permit fee to zero for nursing homes that have an affiliation agreement with a university for education and research related to Alzheimer's disease and meet certain other requirements.</p>	<p>Same as the Senate, but (1) requires ODJFS to apply for the waiver not later than four months, rather than one month, after July 1, 2009, and (2) revises conditions a nursing home with a written affiliation agreement with a university for education and research related to Alzheimer's disease must meet to qualify for the reduction by requiring that the nursing home have been constructed pursuant to a certificate of need granted under a provision of legislation from</p>

Executive	As Passed by the House	As Passed by the Senate	As Enacted
No provision.	<p>of the facility's beds specified by ODJFS to the amount necessary to obtain approval of the waiver.</p> <p>Permits ODJFS to increase uniformly the franchise permit fee for each nursing home and hospital not qualifying for a reduction to an amount that will have the franchise permit fee raise an amount of money that does not exceed the amount that would be raised if not for the waiver.</p>	Same as the House.	<p>the 116th General Assembly, rather than requiring that the nursing home have been granted the certificate of need.</p> <p>Same as the House.</p>
No provision.	No provision.	No provision.	<p>Requires ODJFS to determine the amount of the franchise permit fee for a fiscal year not later than the 15th day of September, rather than August, of that fiscal year and to mail each nursing home and hospital notice of the amount of the fee not later than the 15th day of October, rather than September, of that fiscal year. Provides that the first installment payment of the franchise permit fee for a fiscal year is due not later than 45 days after the last day of October, rather than September, of that fiscal year.</p>
<p>Revises how the money generated by the franchise permit fee is to be deposited into certain funds by providing for SSR Fund 4J50, Home and Community-Based Services for the Aged, to receive 9.09% of the money and for SSR Fund 5R20, Nursing Facility Stabilization, to receive 90.91%.</p>	Same as the Executive.	<p>Same as the Executive, but provides for SSR Fund 4J50, Home and Community-Based Services for the Aged, to receive 8.55% of the money and for SSR Fund 5R20, Nursing Facility Stabilization, to receive 91.45%.</p>	<p>Same as the Executive, but creates a formula for determining how much of the money raised by the franchise permit fee is to be deposited into SSR Fund 4J50, Home and Community-Based Services for the Aged, rather than, as under current law, specifying the percentage. (SSR Fund 5R20, Nursing Facility Stabilization, continues to receive the remainder of the money raised by the franchise permit fee.)</p>

Executive	As Passed by the House	As Passed by the Senate	As Enacted
<p>Fiscal effect: The executive estimates the increase in the fee will generate \$122.2 million in FY 2010 and \$162.9 million in FY 2011.</p>	<p>Fiscal effect: Same as the Executive.</p>	<p>Fiscal effect: Same as the Executive, but increases the amount of fee revenue that will be generated.</p>	<p>Fiscal effect: Same as the Senate, but further increases the amount of fee revenue that will be generated.</p>
<p>33 JFS - 68 Assisted Living Program</p>			
<p>No provision.</p>	<p>R.C. 5111.89, 5111.891 Provides that the Assisted Living Program is hereby created rather than permitting the ODJFS Director to seek federal approval to implement the program.</p>	<p>R.C. 5111.89, 5111.891 Same as the House.</p>	<p>R.C. 5111.89, 5111.891 Same as the House.</p>
<p>No provision.</p>	<p>Eliminates the statutory limit (1,800) on the number of individuals who may participate in the program, but specifies that enrollment may not exceed any limit set by the federal government when it approves the program. Fiscal effect: The provision could result in an increase in expenses for the Assisted Living Program due to the elimination of the current state limit of 1,800 slots. The increase would be dependent upon the number of slots approved by the federal government.</p>	<p>Same as the House. Fiscal effect: Same as the House.</p>	<p>Same as the House. Fiscal effect: Same as the House.</p>

Executive

As Passed by the House

As Passed by the Senate

As Enacted

34 JFS - 108 Medicaid Managed Care Long-Term Care Report

No provision.

No provision.

Section: 209.45

Requires the ODJFS Director and Director of Aging to issue a report on the feasibility of including in the Medicaid managed care program certain aged, blind, and disabled Medicaid recipients who are excluded by current law from the program.

No provision.

Fiscal effect: ODJFS and the Department of Aging will incur an increase in administrative costs to produce the report.

Executive

As Passed by the House

As Passed by the Senate

As Enacted

35 JFS - 37 Ohio Access Success Project and Identification of Overpayments

Section: 309.31.30

Allows ODJFS to use (1) up to \$3.0 million in each fiscal year for FY 2010 and FY 2011 to fund the state share of audits or limited reviews of Medicaid providers; (2) up to \$450,000 in each fiscal year for FY 2010 and FY 2011 to provide one-time transitional benefits under the Ohio Access Success Project, from SSR Fund 4J50, Home and Community-Based Services for the Aged, used by ODJFS, if the cash in the fund is in excess of the amounts needed for the required transfers to SSR Fund 4J40, PASSPORT/Residential State Supplement, used by the Department of Aging.

Section: 309.31.30

Same as the Executive, but corrects a fund number reference.

Section: 309.31.30

Same as the House.

Section: 309.31.30

Same as the House.

Executive

As Passed by the House

As Passed by the Senate

As Enacted

36 JFS - 38 Transfer of Funds to the Department of Aging

Section: 309.31.40

Requires ODJFS to transfer, by intrastate transfer voucher, cash from SSR Fund 4J50, Home and Community-Based Services for the Aged, used by ODJFS, to Fund 4J40, PASSPORT/Residential State Supplement, used by the Department of Aging. Limits the sum of the transfers to \$33,263,984 in each fiscal year. Specifies that the transfer may occur on a quarterly basis or on a schedule developed and agreed to by both departments.

Section: 309.31.40

Same as the Executive, but corrects a fund number reference.

Section: 309.31.40

Same as the House.

Section: 309.31.40

Same as the House.

Executive	As Passed by the House	As Passed by the Senate	As Enacted
37 DMH - 20 Ohio Family and Children First Cabinet Council	<p>R.C. 121.37</p> <p>Adds the Directors of Aging and Rehabilitation and Corrections as members of the Ohio Family and Children First Cabinet Council.</p> <p>Fiscal effect: Increase in costs for the Departments of Aging and Rehabilitation and Correction and an increase in revenue for DMH, which acts as the fiscal agent for the Ohio Family and Children First Cabinet Council, since state agencies represented on the Council share the Council's operating costs.</p>	<p>R.C. 121.37</p> <p>Same as the House.</p> <p>Fiscal effect: Same as the House.</p>	<p>R.C. 121.37</p> <p>Same as the House.</p> <p>Fiscal effect: Same as the House.</p>

Executive	As Passed by the House	As Passed by the Senate	As Enacted
38 DOT - 43 Appropriations - Federal Stimulus	Sections: 327.10, Section 521.30	Sections: 327.10, Section 521.30	Sections: 327.10, Section 521.30
No provision.	Reappropriates the unexpended, unencumbered portions of the appropriation items made in Sections 303.10, 305.10, 307.10, 309.10, 311.10, 313.10, 315.10, 317.10, 319.10, 321.10 and 325.10 of this act at the end of FY 2009 to FY 2010 for the same purposes.	Same as the House.	Same as the House, but adds a reference to Section 325.05 to account for a federal stimulus line item added for the Department of Public Safety.
No provision.	Requires that federal stimulus moneys, to the extent possible, be used in a way that encourages the purchase of supplies and services from Ohio companies and stimulates Ohio job growth and retention.	Same as the House, but requires that, to the extent permitted by federal law, federal stimulus moneys be used in accordance with preferences for goods and services under the Buy Ohio and Buy American programs in Ohio law.	Same as the Senate.