

Executive

As Passed by the House

1 DOH - 15 Child Fatality Review Board Reports

R.C. 307.626, 149.43, 307.629, and 3701.045

Provides confidentiality protection for reports submitted to the Department of Health (ODH) or a national child death review database by local child fatality review boards.

Expands the annual report ODH and the Children's Trust Fund Board must jointly make to the General Assembly and local child fatality review boards to also include data from the Department of Health Child Death Review Database or the National Child Death Review Database.

Fiscal effect: This provision could increase administrative expenses for the Department.

R.C. 307.626, 149.43, 307.629, and 3701.045

Same as the Executive.

Same as the Executive.

Fiscal effect: Same as the Executive.

2 DOH - 30 Asbestos Hazard Abatement

R.C. 3701.01, 3701.01, 3701.05, 3701.051, 3701.06, 3701.07, 3701.08, 3710.12, 3710.13, and 3710.141

Requires ODH to deny the application for an asbestos hazard abatement contractor's license to any person who has been found civilly liable under environmental protection laws.

Removes ODH's authority to: (1) in an emergency, waive certification requirements for certain types of asbestos hazard abatement workers; and (2) approve alternatives to worker protection requirements that contractors and asbestos hazard evaluation specialists must follow.

Authorizes ODH to: (1) deny, suspend, or revoke a license or certificate under the Ohio Asbestos Abatement Law for a violation or threatened violation of certain federal asbestos

R.C. 3701.01, 3701.01, 3701.05, 3701.051, 3701.06, 3701.07, 3701.08, 3710.12, 3710.13, and 3710.141

Same as the Executive

Same as the Executive.

Same as the Executive, but adds clarifying/technical language to the section that specifies that the Department may deny, suspend, or revoke a license or certificate if the

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regulations, (2) serve by personal delivery the Director of Health's order pertaining to an asbestos proceeding, and (3) issue orders to unlicensed or uncertified persons requiring any action necessary to meet a public health emergency involving asbestos. If immediate action is not taken, the Attorney General, at the request of the Director of Health, may commence a civil action for civil penalties and injunctions.

holder violates any of the specified provisions.

Clarifies that a licensee or certificate holder's right to demand a hearing relating to the Ohio Asbestos Abatement Laws is limited to ten business days after receiving notice of the right to a hearing.

Same as the Executive.

Clarifies what constitutes an "asbestos hazard abatement activity" and an "asbestos hazard abatement project" and clarifies which provisions in the Ohio Asbestos Abatement Law apply to each of those terms.

Same as the Executive.

Revises the definition of "asbestos hazard abatement activity" to: (1) lower the amount of asbestos-containing materials needed to qualify as such an activity and (2) include the operation and maintenance of friable asbestos containing materials.

Same as the Executive.

Creates a threshold amount of friable asbestos-containing material that must be involved for an asbestos hazard abatement activity to constitute an "asbestos hazard abatement project."

Same as the Executive.

Revises the definition of "friable asbestos-containing material" to (1) change the method by which the amount of asbestos in "friable asbestos-containing material" is determined and (2) specifically include previously non-friable material that has become damaged.

Same as the Executive.

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Includes inspectors as persons who are considered "asbestos hazard evaluation specialists" and expands the description of specialists' duties to apply to suspect materials.	Same as the Executive.
Expands the possible duties of an "asbestos hazard abatement project designer" to include the oversight of an asbestos hazard abatement activity.	Same as the Executive.
Removes from the definition of "asbestos hazard abatement air-monitoring technician" the exception relating to a certified industrial hygienist in training.	Same as the Executive.
Expressly limits only to asbestos hazard abatement contractors an existing prohibition against persons contracting to perform any aspect of an asbestos hazard abatement project without a written contract containing specified provisions.	Same as the Executive.
No provision.	Requires that an asbestos hazard abatement contractor notifies the Department at least 10 business days before beginning an asbestos hazard abatement project (currently it is 10 days).
<p>Fiscal effect: It is possible that ODH could experience an increase in costs related to this provision. However, ODH could realize a gain in fee revenue to offset this. Additionally, the provision allows ODH to request that the Attorney General begin proceedings for civil actions and civil penalties and injunctions, which could increase costs to the Attorney General. The amount would depend on the number of actions required.</p>	<p>Fiscal effect: Same as the Executive.</p>

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3 DOH - 32 Hemophilia Advisory Council

No provision.

R.C. 3701.0211

Creates the Hemophilia Advisory Council within the Department of Health to advise the Director of Health on issues pertaining to persons with hemophilia and related bleeding disorders.

No provision.

Requires the Council to annually submit a report to the Governor and General Assembly with recommendations on increasing access to care and treatment and obtaining appropriate health insurance coverage for persons with hemophilia and related bleeding disorders.

Fiscal effect: ODH could realize an increase in administrative expenses and expenses for reimbursement of actual and necessary expenses for Council members.

4 DOH - 12 Program for Medically Handicapped Children Diagnostic Services

R.C. 3701.024

Authorizes ODH, under its program for medically handicapped children, to charge counties for expenses for diagnostic services not paid from federal funds or Medicaid.

Fiscal effect: Currently, ODH is authorized to charge counties for any part of expenses incurred for treatment services on behalf of medically handicapped children. The provision would also allow counties to be charged for diagnostic services. This would increase the amount the Department charges counties and deposits into SSR Fund 6660, Medically Handicapped Children - County Assessments. The Department anticipates this would result in a gain of \$1.4 million annually.

R.C. 3701.024

Same as the Executive.

Fiscal effect: Same as the Executive.

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As Passed by the House

5 DOH - 38 Sickle Cell Anemia Advisory Committee

No provision.

R.C. 3701.136

Creates the Sickle Cell Anemia Advisory Committee within ODH to assist the Director in fulfilling the Director's duties regarding sickle cell disease and requires the Committee's five members to serve without compensation.

Fiscal effect: None.

6 DOH - 42 Help Me Grow Advisory Council

R.C. 3701.611

Codifies the existing Help Me Grow Advisory Council mirroring the requirements set forth in federal law. Specifies the duties of the Council. Allows members of the Council to be reimbursed for actual and necessary expenses incurred in the performance of their official duties, including child care for the parent representatives. Allows compensation to members who are not employed or who must forfeit wages from other employment when performing official council business.

Fiscal effect: If the Council currently exists, there should be no fiscal effect.

R.C. 3701.611

Same as the Executive, but requires the Governor to appoint to the Council a representative of a local board of health.

Fiscal effect: Same as the Executive.

7 DOH - 11 Governor's Advisory Council on Physical Fitness, Wellness, and Sports

R.C. 3701.77, (Repealed), Sections 630.10, 630.11, Repealed: R.C. 3701.771, 3701.772

Eliminates the Governor's Advisory Council on Physical Fitness, Wellness, and Sports.

R.C. 3701.77, (Repealed), Sections 630.10, 630.11, Repealed: R.C. 3701.771, 3701.772

Same as the Executive.

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Fiscal effect: Minimal decrease. Members of the Council serve without compensation, but are reimbursed for actual and necessary expenses incurred in the performance of their duties.

Fiscal effect: Same as the Executive.

8 DOH - 35 Authorize the Department of Health to Form a Nonprofit Corporation

No provision.

R.C. 3701.84

Authorizes the Department to form a nonprofit corporation for the purpose of raising money to aid in its efforts to reduce tobacco use by Ohioans.

Fiscal effect: The provision is permissive. The Department may incur some initial costs to establish the nonprofit corporation. It may also realize some revenues from donations.

9 DOH - 14 Certificate of Need Program

R.C. 3702.59, 3702.51, 3702.52, 3702.524, 3702.525, 3702.53, 3702.532, 3702.54, 3702.544, 3702.55, 3702.57, 3702.592, 3702.593, 3702.60, 3702.61, Repealed: R.C. 3702.511, 3702.523, 3702.527 - 3702.529, 3702.542

Eliminates the scheduled termination (June 30, 2009) of a provision of the certificate of need (CON) statutes permitting addition of long-term care beds to a facility if the beds either replace existing beds or are relocated from a facility in the same county.

Establishes a new CON comparative review procedure under which long-term care beds may be relocated from a county with excess beds to a county with a bed need, as determined by the Director of Health.

R.C. 3702.59, 3702.51, 3702.52, 3702.524, 3702.525, 3702.53, 3702.532, 3702.54, 3702.544, 3702.55, 3702.57, 3702.592, 3702.593, 3702.60, 3702.61, Repealed: R.C. 3702.511, 3702.523, 3702.527 - 3702.529, 3702.542

Same as the Executive.

Same as the Executive.

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Provides for each comparative review process to consist of two phases occurring over a four-year period.

Same as the Executive, but (1) changes the deadline for accepting CON applications to April 30 (instead of March 31) of the second year of the initial phase of the comparative review period and (2) provides for the second phase of the review period to begin on July 1 of the third year (rather than the second year) of the review period.

Requires a facility, when any of its beds are relocated to another county, to remove additional beds from service and permits the Director to approve CONs for redistribution of these beds.

Same as the Executive.

Eliminates provisions of the CON statutes concerning health care activities for which a CON is no longer needed.

Same as the Executive.

Fiscal effect: As a result of the provisions, it is possible that the Department could have increased administrative duties relating to the CON Program. There is an application fee charged for CON applications, so any increase would be paid for with these fee revenues.

Fiscal effect: Same as the Executive.

10 DOH - 6 Dentist Loan Repayment Program

R.C. 3702.87, 3702.89 - 3702.94, Section 289.20

Replaces the program's maximum annual loan repayment amount of \$20,000 (as well as the total maximum repayment amount of \$80,000) with the following: (1) a maximum amount of \$25,000 for each of the first two years of service; and (2) a maximum amount of \$35,000 for each of the third and fourth years of service.

Increases to two years (from one) the minimum length of service that must be completed by a dentist participating in the Dentist Loan Repayment Program.

R.C. 3702.87, 3702.89 - 3702.94, Section 289.20

Same as the Executive.

Same as the Executive.

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Modifies the program's administrative provisions by (1) eliminating the express authority to assign a dentist's loan to the Department of Health, (2) allowing a dentist's employer or other funding source to be a party to the dentist's contract for participation in the program, (3) eliminating the authority to reimburse an applicant for costs incurred in visiting a dental health resource shortage area, (4) eliminating the authority to refer an applicant to the Ohio Dental Association for recruitment purposes, (5) requiring additional information to be specified in an application if a dental residency was completed, and (6) requiring the Director of Health, in designating dental health resource shortage areas in Ohio, to consider designating areas that have been federally designated as health professional shortage areas.

Same as the Executive.

Modifies provisions governing the Dentist Loan Repayment Advisory Board by (1) increasing the Board's membership from seven to ten, (2) eliminating the authority to reimburse Board members for expenses, and (3) requiring that the Board's annual report also be submitted to the Governor.

Same as the Executive.

Fiscal effect: The Dentist Loan Repayment Program is funded through a surcharge of \$20 on dentist license fees, which is deposited into SSR Fund 5Z70, Dentist Loan Repayment Fund. The provision that increases the maximum loan repayment amounts could increase expenditures for the program; however, the program would be constrained by the amount of revenue in Fund 5Z70. There could also be minimal savings as a result of the elimination of the reimbursement of board member expenses.

Fiscal effect: Same as the Executive.

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11 DOH - 2 Vital Statistics Fees

R.C. 3705.24

Increases to \$12 (from \$7) the minimum fee the Public Health Council must prescribe for the following items or services provided by the State Office of Vital Statistics or a local board of health: (1) a certified copy of a vital record or certification of birth, (2) a search by the Office of its files and records pursuant to an information request, and (3) a copy of a record provided pursuant to an information request.

Requires the ODH Director to transfer \$4 of each minimum \$12 fee to the Office.

Fiscal effect: The Department would realize a gain in fee revenue, which would be deposited into SSR Fund 4700, Fee Supported Programs Fund.

R.C. 3705.24

Same as the Executive.

Same as the Executive, but also imposes the same requirement on local boards of health that provide the same items and services and, for both the ODH Director and the boards, requires the transfer to occur not later than 30 days after the end of each calendar quarter.

Fiscal effect: Same as the Executive, but could result in a decrease in revenue for local boards of health if they are currently able to retain these funds.

12 DOH - 7 Fees for Board of Health Services

R.C. 3709.09, 3701.344, 3709.092, 3717.07, 3717.23, 3717.25, 3717.43, 3717.45, 3718.06, 3729.07, 3733.04, 3733.25, 3749.04

Provides that rules adopted by a board of health establishing fees for specified services are to be adopted, recorded, and certified in the same manner as municipal ordinances.

Reduces to 20 (from 30) the number of days of advance notice that must be provided to entities affected by a

R.C. 3709.09, 3701.344, 3709.092, 3717.07, 3717.23, 3717.25, 3717.43, 3717.45, 3718.06, 3729.07, 3733.04, 3733.25, 3749.04

Same as the Executive.

Same as the Executive.

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<p>proposed board of health fee, including licensing fees for food service operations and retail food establishments.</p> <p>Establishes the greater of the following as a penalty for late payment of board of health fees: (1) 25% of the applicable fee or (2) for each week late, 10% of the applicable fee.</p> <p>Applies the late payment penalties to food service operations and retail food establishments, both of which currently cannot be charged more than \$50.</p> <p>Establishes a quarterly schedule to be followed by boards of health when transmitting to the Director of Health any additional fee amounts imposed by the Public Health Council.</p> <p>Fiscal effect: Local boards of health could realize a gain in fee revenues as a result of these provisions.</p>	<p>Same as the Executive.</p> <p>Same as the Executive.</p> <p>Same as the Executive.</p> <p>Fiscal effect: Same as the Executive.</p>
<p>13 DOH - 39 Palliative Care in Hospice Programs</p>	<p>R.C. 3712.01</p> <p>Revises the definition of "palliative care" used in the laws governing hospice care programs to mean "treatment for a patient with a serious or life-threatening illness directed at controlling pain, relieving other symptoms, and enhancing the quality of life of the patient and the patient's family rather than treatment for the purpose of cure."</p> <p>Specifies that nothing in the definition of "palliative care" is to be interpreted as meaning that the care can be provided only as a component of a hospice care program.</p> <p>Fiscal effect: None.</p>

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14	DOH - 9	Fees for Hospice Care Programs	R.C. 3712.03	Same as the Executive.
		Increases from \$300 to \$600 the maximum amount that the Public Health Council may establish as a license fee or license renewal fee for a hospice care program.		
		Fiscal effect: As a result of the fee increase, the Department could realize an annual revenue gain of approximately \$11,000, which would be deposited into SSR Fund 5B50, Quality, Monitoring, and Inspection Fund.		Fiscal effect: Same as the Executive.
15	DOH - 1	Nursing Home and Residential Care Facility Licensing Fees	R.C. 3721.02	Same as the Executive.
		Increases the application fee and annual renewal licensing and inspection fee for nursing homes and residential care facilities to (1) \$220 (from \$170) for each 50 persons or part thereof of the home or facility's licensed capacity for fiscal year 2010, (2) \$270 for each 50 persons or part thereof of the home or facility's licensed capacity for fiscal year 2011, and (3) \$320 for each 50 persons or part thereof of the home or facility's licensed capacity for each fiscal year thereafter.		
		Fiscal effect: As a result of the fee increase, the Department estimates that there would be a gain of revenue in the following amounts: \$168,400 in FY 2010; \$168,250 in FY 2011; and \$168,247 in future years. This revenue would be deposited into SSR Fund 5B50, Quality, Monitoring, and Inspection Fund.		Fiscal effect: Same as the Executive.

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16 DOH - 8 Nurse Aide Registry

R.C. 3721.23, 1347.08

Provides that a statement of neglect added to the nurse aide registry regarding a nurse aide or other individual may be removed, and any accompanying information expunged if, in the judgment of the Director of Health, the neglect was a singular occurrence and the employment and personal history of the nurse aide or other individual does not reflect a pattern of abuse or neglect.

Provides that the petition for rescission and the Director's notice that it has been granted are not subject to expungement and are not public records.

No provision.

Fiscal effect: There could be minimal administrative costs relating to this provision.

R.C. 3721.23, 1347.08

Same as the Executive.

Same as the Executive.

Modifies the Director's authority to issue subpoenas regarding alleged abuse and neglect of a long-term care facility resident by permitting the Director to do the following: (1) issue subpoenas for "other evidence," rather than only for witnesses and documents, (2) issue subpoenas for purposes of an investigation, rather than only for purposes of a hearing, and (3) serve subpoenas by means of a representative of the Director.

Fiscal effect: Same as the Executive.

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17 DOH - 13 Adult Care Facilities

R.C. 3722.01, 3722.011 - 3722.021, 3722.022, 3722.04, 3722.05, 3722.06, 3722.08 - 3722.10, 3722.13 - 3722.15, 3722.16 - 3722.18, 3722.99

R.C. 3722.01, 3722.011 - 3722.021, 3722.022, 3722.04, 3722.05, 3722.06, 3722.08 - 3722.10, 3722.13 - 3722.15, 3722.16 - 3722.18, 3722.99, 5119.613

Prohibits an adult care facility owner or manager whose license has been revoked or denied renewal (other than for nonpayment of fees) from applying for another license until two years have elapsed, and permanently prohibits such a person from applying if the revocation or refusal was based on abuse, neglect, or exploitation of a resident.

Same as the Executive.

No provision.

Permits the Director of Health to waive any of the adult care facility licensing requirements established by rule, in place of the Director's existing authority to waive only those requirements pertaining to fire and safety requirements or building standards.

Eliminates the issuance of temporary licenses for adult care facilities.

Same as the Executive.

Eliminates the requirement that proof of insurance be submitted with an application for an adult care facility license.

Same as the Executive.

Specifies that an adult family home or adult group home is an adult care facility when supervision is provided to all of the home's residents.

Same as the Executive.

Permits the Director of Health to determine whether inspections of adult care facilities will be announced or unannounced.

No provision.

No provision.

Provides for the following when an inspection is conducted to investigate an alleged violation in an adult care facility

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Eliminates a requirement that the Director prescribe how a violation is to be corrected and instead requires an adult care facility to submit a plan of correction.

that serves residents receiving publicly funded mental health services or Residential State Supplement payments: (1) the inspection must be coordinated with the appropriate mental health agency, ADAMHS board, or PASSPORT agency and (2) the inspection may be conducted jointly with the mental health agency, ADAMHS board, or PASSPORT agency.

Same as the Executive.

Increases the fine for operating an adult care facility without a license to \$2,000 (from \$500) for a first offense and \$5,000 (from \$1,000) for each subsequent offense, and increases the fines for violating other adult care facility licensing laws.

Same as the Executive.

Requires a court that grants injunctive relief concerning unlicensed operation of an adult care facility to include an order suspending admission of new residents and requiring the facility to assist in relocating its residents.

Same as the Executive.

Modifies provisions regarding the imposition of penalties by (1) eliminating a provision that prevents the Director from imposing a penalty for a class I violation if certain conditions are met and (2) permitting, rather than requiring, the Director to cancel a penalty for a class II or class III violation if the violation is corrected within the specified time and the facility has not been previously cited for the same violation.

Same as the Executive.

Prohibits an adult care facility from admitting a resident who requires publicly funded mental health services without first notifying the appropriate ADAMHS board.

Same as the Executive, but also requires the adult care facility to enter into a "mental health program participation agreement" with the ADAMHS board as a condition of admitting a resident who requires publicly funded mental health services. Requires the Director of Mental Health to

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No provision.

approve a standardized form for such agreements and, as part of approving the form, to specify the requirements that an adult care facility must meet under the agreement.

Modifies the Public Health Council's rulemaking authority regarding the establishment of procedures to be followed by an adult care facility when persons with mental illness or severe mental disability are referred to the facility.

Expands the circumstances under which an employee of an ADAMHS board or mental health agency must be permitted to enter an adult care facility that has a resident who is receiving mental health services.

Same as the Executive.

Prohibits employees of public entities and related agencies from placing an individual in an adult care facility that has reached its licensed capacity.

Same as the Executive, but also prohibits employees of public entities and related agencies from placing an individual in an adult care facility if (1) a disciplinary action is pending that may result in the revocation or non-renewal of the facility's license or (2) a potential resident is receiving or is eligible for publicly funded mental health services and the facility has not entered into a mental health resident program participation agreement with the ADAMHS board.

Provides that in an emergency, an adult care facility is not required to provide a resident with advance notice of a proposed transfer or discharge.

Same as the Executive.

Specifies that individuals providing skilled nursing care in adult care facilities must be appropriately licensed.

Same as the Executive.

Requires each adult care facility to post the telephone number maintained by the Department of Health for accepting complaints.

Same as the Executive.

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Fiscal effect: It is possible that the Department may realize a gain in revenue due to the provision increasing the penalty for operating without a license and increasing the fines for violating other adult care facility licensing laws. Additionally, the other provisions may decrease administrative costs for the Department.

Fiscal effect: Same as the Executive, but may increase administrative costs for ADAMHS boards and PASSPORT agencies.

18 DOH - 4 Community Alternative Homes

R.C. 3724.01 (repealed), 173.35, 2317.422, 2903.33, 3313.65, 3701.07, 3721.01, 3722.01, 3722.02, 5101.60, 5101.61, Repealed: R.C. 3724.02 - 3724.99

R.C. 3724.01 (repealed), 173.35, 2317.422, 2903.33, 3313.65, 3701.07, 3721.01, 3722.01, 3722.02, 5101.60, 5101.61, Repealed: R.C. 3724.02 - 3724.99

Repeals the laws governing community alternative homes -- residences or facilities that provide accommodations, personal assistance, and supervision for three to five unrelated persons who have AIDS or AIDS-related conditions.

Same as the Executive.

No provision.

Same as the Executive.

Fiscal effect: The Department currently is responsible for licensing and regulatory activities for community alternative homes. If these responsibilities are eliminated, then the Department would experience a decrease in costs. However, there would likely be a corresponding loss of revenue, since these homes currently pay a licensing fee.

Fiscal effect: Same as the Executive.

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19	DOH - 3	Hospital Accreditation	R.C. 3727.02	Same as the Executive.
<p>Modifies the accreditation requirements for operation of a hospital by requiring the hospital to be accredited by a national accrediting organization approved by the Centers for Medicare and Medicaid Services (CMS) and the Director of Health, rather than the Joint Commission or the American Osteopathic Association.</p>			<p>Fiscal effect: Same as the Executive.</p>	
<p>Fiscal effect: None. It is assumed that any organization chosen as the accrediting organization by CMS and the Director of Health would be the national body that hospitals are currently using for accreditation.</p>				
20	DOH - 10	Minimum Standards for Hospitals	R.C. 3727.05, 3701.71, 3701.72, 3727.04, 3727.051, 3727.052, 3727.053, 3929.67, Repealed: R.C. 3701.73	R.C. 3727.05, 3701.71, 3701.72, 3727.04, 3727.051, 3727.052, 3727.053, 3929.67, Repealed: R.C. 3701.73
<p>Requires the Department of Health to establish, maintain, and enforce minimum standards for hospitals and units providing medical and nursing care in city and county institutions, and requires the Director of Health to institute the Department's legal proceedings for violations of the standards.</p>			<p>Same as the Executive, but specifies that the minimum standards apply to every hospital and every unit providing medical and nursing care in city and county institutions.</p>	

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Fiscal effect: The Department could experience an increase in expenditures relating to the requirement to establish, maintain, and enforce minimum standards if they do not already do so. The Department is allowed to institute fees for violations. Any revenues from violations would be deposited into the General Revenue Fund. If necessary, the Department could petition the appropriate county court of common pleas for injunctive relief for alleged violations. This could increase costs to county courts. However, some court costs could be recovered, which would partially or fully offset this.

Fiscal effect: Same as the Executive.

21 DOH - 28 Agricultural Labor Camp Fees

R.C. 3733.43

Increases the amount of the following fees for licenses to operate agricultural labor camps issued on or after July 1, 2009 as follows:

Increases if submitted prior to April 15, the annual license fee from \$75 to \$150.

Increases if submitted on or after April 15, the annual license fee from \$100 to \$166.

Increases if submitted prior to April 15, the fee charged per housing unit from \$10 per unit to \$20 per unit.

Increases if submitted on or after April 15, the fee charged per housing unit from \$15 per unit to \$42.50 per unit.

Fiscal effect: According to the Department, it is estimated that these fee increases will bring in an additional \$23,000 per year, which would be deposited into SSR Fund 4700, Fee Supported Programs Fund.

R.C. 3733.43

Same as the Executive.

Fiscal effect: Same as the Executive.

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22 DOH - 5 Radiation Fees

R.C. 3748.04, 3748.01, 3748.07, 3748.12, 3748.13

Clarifies an existing requirement that the following individuals pay fees established by rule of the Public Health Council: (1) handlers of radioactive material; (2) handlers, other than medical practitioners, of radiation-generating equipment; and (3) radiation experts.

Clarifies an existing requirement that medical-practitioner handlers of radiation-generating equipment pay fees specified in statute, and raises the statutory fees by 20%.

Fiscal effect: As a result of the fee increase, the Department would realize a gain in fee revenue, which would be deposited into SSR Fund 5B50, Quality, Monitoring, and Inspection Fund.

R.C. 3748.04, 3748.01, 3748.07, 3748.12, 3748.13

Same as the Executive.

Same as the Executive.

Fiscal effect: Same as the Executive.

23 DOH - 29 Child Passenger Safety Seat Fines

R.C. 4511.81

Directs that \$50 from each fine for a child safety restraint violation (including safety seats, booster seats, and child seat belt violations) be deposited into HSF Fund 4T40, Child Highway Safety; increases the minimum fine for such violations from \$25 to \$50; and eliminates the designation of pediatric trauma centers as one of the authorized purposes of the fund.

Specifies that, if an offender has previously been convicted of or pleaded guilty to this or of a municipal ordinance that is substantially similar, the offender is guilty of a fourth degree misdemeanor and be fined not less than \$100. (Currently, there is no minimum amount specified.)

R.C. 4511.81

Same as the Executive.

Same as the Executive.

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Fiscal effect: There would be an increase in revenues of approximately \$100,000 in each fiscal year deposited in HSF Fund 4T40, Child Highway Safety Fund.

Fiscal effect: Same as the Executive.

24 DOH - 16 HIV/AIDS Prevention and Treatment

Section: 289.20

Specifies that GRF appropriation item 440444, AIDS Prevention and Treatment, is to be used to assist persons with HIV/AIDS in acquiring HIV-related medications and to administer educational prevention initiatives.

Section: 289.20

Same as the Executive.

25 DOH - 17 Infectious Disease Prevention

Section: 289.20

Specifies that GRF appropriation item 440446, Infectious Disease Protection and Surveillance, is to be used for coordination and management of prevention program operations and the purchase of drugs for sexually transmitted diseases.

Section: 289.20

Same as the Executive.

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26 DOH - 18 Help Me Grow

Section: 289.20

Specifies that GRF appropriation item 440459, Help Me Grow, is to be used to distribute subsidies to counties to implement the Help Me Grow Program. Allows the appropriation item to also be used in conjunction with Early Intervention funding from the Department of Mental Retardation and Developmental Disabilities, and in conjunction with other early childhood funds and services to promote the optimal development of young children. Requires the Department of Health to enter into an interagency agreement with the Departments of Education, Mental Retardation and Developmental Disabilities, Job and Family Services, and Mental Health to ensure that all early childhood programs and initiatives are coordinated and school-linked.

Specifies that GRF appropriation item 440459, Help Me Grow, is also to be used for the Autism Diagnosis Education Pilot Program.

No provision.

Section: 289.20

Same as the Executive.

Same as the Executive.

Earmarks \$300,000 in each fiscal year from GRF appropriation item 440459, Help Me Grow, for the Ohio State University College of Dentistry's Dental Bus Program.

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As Passed by the House

27 DOH - 19 Health - Federal Stimulus

Section: 289.20

Specifies that upon the request of the Director of Health, the Director of Budget and Management may transfer appropriation from GRF appropriation item 440469, Health – Federal Stimulus, to the following GRF appropriation items:

- (1) \$300,000 in FY 2010 and \$257,709 in FY 2011 to appropriation item 440407, Animal Borne Disease and Prevention;
- (2) \$50,000 in each fiscal year to appropriation item 440412, Cancer Incidence Surveillance System;
- (3) \$106,194 in each fiscal year to appropriation item 440413, Local Health Department Support;
- (4) \$800,000 in FY 2010 and \$700,000 in FY 2011 to appropriation item 440418, Immunizations;
- (5) \$200,000 in each fiscal year to appropriation item 440431, Free Clinics Safety Net Services;
- (6) \$200,000 in fiscal year to appropriation item 440446, Infectious Disease Protection and Surveillance;
- (7) \$100,000 in each fiscal year to appropriation item 440454, Local Environmental Health;
- (8) \$50,000 in each fiscal year to appropriation item 440465, Federally Qualified Health Centers;

Section: 289.20

Same as the Executive.

- (1) Same as the Executive.
- (2) Same as the Executive.
- (3) Same as the Executive.
- (4) Same as the Executive.
- (5) Same as the Executive.
- (6) Same as the Executive.
- (7) Same as the Executive.
- (8) Same as the Executive.

Executive	As Passed by the House
(9) \$100,000 in each fiscal year to appropriation item 440468, Chronic Disease and Injury Prevention;	(9) Same as the Executive.
(10) \$773,841 in FY 2010 and \$700,000 in FY 2011 to appropriation item 440511, Uncompensated Care/Emergency Medical Assistance.	(10) Same as the Executive.
28 DOH - 20 Targeted Health Care Services Over 21	
Section: 289.20	Section: 289.20
Specifies that GRF appropriation item 440507, Targeted Health Care Services Over 21, is to be used to administer the Cystic Fibrosis Program and to implement the Hemophilia Insurance Premium Payment Program.	Same as the Executive.
Specifies that GRF appropriation item 440507, Targeted Health Care Services Over 21, is to be used to provide essential medications and to pay the copayments for drugs approved by the Department and covered by Medicare Part D that are dispensed to Bureau for Children with Medical Handicaps participants for the Cystic Fibrosis Program.	Same as the Executive.
Specifies that GRF appropriation item 440507, Targeted Health Care Services Over 21, may also be used, to the extent that funding is available, to provide up to 18 in-patient hospital days for participants in the Cystic Fibrosis Program.	Same as the Executive.
Specifies that the Department is to expend all funds in GRF appropriation item 440507, Targeted Health Care Services Over 21.	Same as the Executive.

Executive

As Passed by the House

29 DOH - 21 Genetics Services

Section: 289.20

Specifies that SSR Fund 4D60 appropriation item 440608, Genetics Services, is to be used to administer programs authorized by sections 3701.501 and 3701.502 of the Revised Code. Prohibits these funds from being used to counsel or refer for abortion, except in the case of a medical emergency.

Section: 289.20

Same as the Executive.

30 DOH - 22 Medically Handicapped Children Audit

Section: 289.20

Specifies that SSR Fund 4770, Medically Handicapped Children Audit, is to receive revenue from audits of hospitals and recoveries from third-party payers. Allows moneys to be expended for payment of audit settlements and for costs directly related to obtaining recoveries from third-party payers and for encouraging Medically Handicapped Children's Program recipients to apply for third-party benefits. Allows moneys to also be expended for payments for diagnostic and treatment services on behalf of medically handicapped children and for residents who are 21 or older and suffering from cystic fibrosis or hemophilia. Furthermore, allows moneys to be expended for administrative expenses incurred for the Medically Handicapped Children's Program.

Section: 289.20

Same as the Executive.

Executive

As Passed by the House

31	DOH - 23	Cash Transfer from Liquor Control Fund to Alcohol Testing and Permit Fund	Section: 289.20	Same as the Executive.
		Specifies that the Director of Budget and Management must set a schedule to transfer cash from LCF Fund 7043, Liquor Control, used primarily by the Department of Commerce, to SSR Fund 5C00, Alcohol Testing and Permit, used by the Department of Health, to meet the operating needs of the Alcohol Testing and Permit Program. Allows the Director to transfer amounts as determined by the transfer schedule.	Section: 289.20	Same as the Executive.
32	DOH - 25	Medically Handicapped Children - County Assessments	Section: 289.20	Section: 289.20
		Specifies that SSR Fund 6660 appropriation item 440607, Medically Handicapped Children - County Assessments, is to be used to make payments under division (E) of section 3701.023 of the Revised Code.	Section: 289.20	Same as the Executive.
33	DOH - 26	Cash Transfer from the Sewage Innovation Fund to Fee Supported Programs Fund	Section: 289.20	Section: 289.20
		Specifies that on July 1, 2009, or as soon as possible thereafter, the Director of Health certify to the Director of Budget and Management the amount of cash to be transferred from SSR Fund 5CJ0, Sewage Innovation, to SSR Fund 4700, Fee Supported Program, to meet the needs of the Sewage Program. Appropriates transferred amounts for the Sewage Program.	Section: 289.20	Same as the Executive.

Executive

As Passed by the House

34 DOH - 27 Nursing Facility Technical Assistance Program

Section: 289.20

Specifies that on July 1, 2009, or as soon as possible thereafter, the Director of Budget and Management, may transfer cash from SSR Fund 4E30, Resident Protection, used by the Department of Job and Family Services, to SSR Fund 5L10, Nursing Facility Technical Assistance Program, used by the Department of Health. Requires the transfer to be equal to \$698,595 in each fiscal year.

Section: 289.20

Same as the Executive.

35 DOH - 33 Mothers and Children Safety Net Services

No provision.

No provision.

No provision.

No provision.

No provision.

Section: 289.20

Earmarks GRF appropriation item 440416, Mothers and Children Safety Net Services, in each fiscal year as follows:

- (1) \$15,000 to the to the Jewish Family Services in Dayton, of which \$5,000 is to be used for children's health and nutrition programs;
- (2) \$10,000 to the Jewish Community Center in Akron, of which \$5,000 is to be used for children's health and nutrition programs;
- (3) \$10,000 to the Jewish Community Services in Sylvania, of which \$5,000 is to be used for children's health and nutrition programs;
- (4) \$7,500 to the Jewish Community Center in Youngstown, of which \$5,000 is to be used for children's health and nutrition programs;

Executive	As Passed by the House
No provision.	(5) \$4,500 to the Jewish Community Center in Canton, of which \$2,000 is to be used for children's health and nutrition programs;
No provision.	(6) \$16,667 to the Yassenoff Jewish Community Center for children's health and nutrition camp programs;
No provision.	(7) \$16,666 to the Jewish Community Center in Cleveland for children's health and nutrition camp programs;
No provision.	(8) \$15,000 to the Jewish Family Services in Cleveland for interpreters for healthcare;
No provision.	(9) \$16,667 to the Jewish Community Center in Cincinnati for children's health and nutrition camp programs;
No provision.	(10) \$15,000 to the Jewish Family Services in Cincinnati for interpreters for healthcare;
No provision.	(11) \$15,000 to the Jewish Family Services in Columbus for interpreters for healthcare; and
No provision.	(12) \$10,000 to the Wexner Heritage Village for interpreters for healthcare.
36 DOH - 34 Healthy Ohio	<p>Section: 289.20</p> <p>Earmarks \$250,000 of GRF appropriation item 440437, Healthy Ohio, for the Activate Ohio - Diabetes Education, Support, and Self-Management Program.</p>

Executive

As Passed by the House

37	DOH - 37	Disease and Cancer Commission	No provision.	<p>Section: 289.30</p> <p>Establishes the Disease and Cancer Commission within the Department of Health to study colorectal cancer, prostate cancer, triple negative breast cancer, and sickle cell anemia in Ohio areas where those conditions are prevalent and requires the Commission to prepare a report by June 30, 2011.</p> <p>Fiscal effect: Minimal increase in costs to the Department of Health to assist in the study and report.</p>
38	DOH - 40	Funding for Immunizations	No provision.	<p>Section: 289.40</p> <p>Specifies that funds appropriated for the purchase of immunizations are required to be used to provide immunizations to children and adults in Ohio.</p>
39	DOH - 36	Fund Reference	No provision.	<p>Section: 610.10</p> <p>Removes an unnecessary fund reference in H.B. 2 of the 128th General Assembly.</p>

Executive

As Passed by the House

Early Childhood

40 EDU - 116 Early Childhood Advisory Council and Early Childhood Financing Workgroup

R.C. *3301.90, Section 265.70.20*

Creates the Early Childhood Advisory Council to serve as the federally mandated state advisory council on early childhood education and care, and advise the state regarding the creation and duties of the Center for Early Childhood Development in ODE.

Directs the Early Childhood Advisory Council to establish an Early Childhood Financing Workgroup, to be chaired by the chairperson of the Early Childhood Advisory Council, to develop recommendations for a single financing system for early care and education programs. Requires the Council to submit its recommendations to the Governor by December 31, 2009.

No provision.

Fiscal effect: There are likely minimal administrative costs associated with the implementation and duties of both the Early Childhood Advisory Council and the Early Childhood Financing Workgroup.

R.C. *3301.90, Section 265.70.20*

Same as the Executive.

Same as the Executive.

Requires the Early Childhood Advisory Council to establish a Family Child Care Licensing Workgroup to develop recommendations that explore the implementation, costs, and timeline necessary for the creation of a statewide licensing system for family child care providers. Requires the Workgroup to submit its recommendations to the Governor and the General Assembly no later than December 31, 2009.

Fiscal effect: Same as the Executive, but adds administrative costs associated with the Family Child Care Licensing Workgroup.

Executive

As Passed by the House

41 EDU - 57 Center for Early Childhood Development

Section: 265.70.10

Creates the Center for Early Childhood Development, comprised of staff from ODE, and the departments of Job and Family Services and Health, to research and make recommendations regarding the transfer from various state agencies to ODE of the authority and responsibility to implement and coordinate early childhood programs and services for children, beginning with prenatal care until entry into kindergarten.

Directs the Superintendent of Public Instruction to hire a Director for the Center.

Requires the Director of the Early Childhood Cabinet to submit an implementation plan regarding coordination and implementation of early childhood education plans to the Superintendent and Governor not later than August 31, 2009.

Permits the Director of Budget and Management to seek Controlling Board approval to create new funds and non-GRF appropriation items, transfer cash between funds, and transfer appropriation within the same fund used by the same state agency to support the preparation of the implementation plan.

No provision.

Fiscal effect: Increase in personnel cost for the Director of the Center for Early Childhood Development.

Section: 265.70.10

Same as the Executive.

Same as the Executive, except requires the Director to report to the Superintendent and to the Governor.

Same as the Executive, but requires the Director to consider advice from the Early Childhood Advisory Council when submitting the plan and changes the deadline for submission of the plan to December 31, 2009.

Same as the Executive.

Requires the Governor to appoint a representative of local board of health to the Early Childhood Cabinet.

Fiscal effect: Same as the Executive.

Executive

As Passed by the House

Other Education Provisions

42 EDU - 175 Booster Vaccinations for Students

No provision.

R.C. 3313.671

Beginning with the 2010-2011 school year, requires students entering the seventh grade at a public or nonpublic school to receive a tetanus, diphtheria, and acellular pertussis booster vaccination, with exceptions for reasons of conscience and medical contraindication.

No provision.

Requires boards of health, legislative authorities of municipal corporations, and boards of township trustees to provide at public expense the booster vaccination to pupils who are not provided the booster by their parents or guardians.

Fiscal effect: May increase costs for boards of health, legislative authorities of municipal corporations, and boards of township trustees if they have to provide the booster to students.

Executive

As Passed by the House

43 GOV - 1 Service Coordination Workgroup

Section: 751.20

(1) Creates the Service Coordination Workgroup to develop procedures for coordinating services that any of the following provide to individuals under age 21 and their families: the Office of the Governor, the Departments of Alcohol and Drug Addiction Services, Education, Health, Job and Family Services, Mental Health, Mental Retardation and Developmental Disabilities, and Youth Services; the Office of Budget and Management; and the Family and Children First Cabinet Council.

(2) Requires the Workgroup, not later than July 31, 2009, to submit a report to the Governor with recommendations for implementing the procedures.

(3) Permits the Director of Budget and Management to seek Controlling Board approval to transfer cash and appropriations as necessary to implement the Workgroup's recommendations.

Fiscal effect: Since the representative of the Governor's Office is to serve as the chairperson of the Council, this provision may cause a minimal increase in the Governor's Office's costs to produce the workgroup's report.

Section: 751.20

(1) Same as the Executive.

(2) Same as the Executive.

(3) Same as the Executive.

Fiscal effect: Same as the Executive.

Executive

As Passed by the House

44 INS - 11 Health Insuring Corporation Provider Networks

R.C. 1751.03, 1751.04, 1751.05, 1751.19, 1751.32,
 1751.321, 1751.34, 1751.35, 1751.36,
 1751.45, 1751.46, 1751.48, and 1753.09

Transfers the responsibility to review and certify that a health insuring corporation's (HIC's) provider network is sufficient to meet specified requirements to the Superintendent of Insurance from the Director of Health. Removes a requirement that the Superintendent consult with the Director concerning standards relating to those requirements. Removes existing provisions that required HICs to send annual reports, audit reports, and complaints and responses to the Director in addition to the Superintendent and removes the Director's authority to enforce the Health Insuring Corporation Law (R.C. Chapter 1751).

Fiscal effect: Potential increase, not likely to be significant, in the Department of Insurance's administrative costs associated with the responsibility to review and certify a health insuring corporation's provider network. Any such costs would be paid from the Department of Insurance Operating Fund (SSR Fund 5540). Corresponding decrease in administrative costs for the Department of Health. Potential decrease in overall costs for the state due to streamlining of regulation in this area.

R.C. 1751.03, 1751.04, 1751.05, 1751.19, 1751.32,
 1751.321, 1751.34, 1751.35, 1751.36,
 1751.45, 1751.46, 1751.48, and 1753.09

Same as the Executive.

Fiscal effect: Same as the Executive.

Executive

As Passed by the House

45 INS - 16 Health Care Coverage and Quality Council

R.C. 3923.90, 3923.91

(1) Creates a 26-member Health Care Coverage and Quality Council to advise the Governor, General Assembly, public and private entities, and consumers on strategies to expand affordable health insurance coverage to more individuals and improve the cost and quality of Ohio's health care system. Enumerates the criteria for selecting those Council members. Specifies that members be reimbursed for mileage and other necessary expenses only. Requires the Council to issue a report on or before December 31 of each year. Exempts the Council from the current sunset requirement.

(2) Requires advice and consent of the Senate for seventeen members appointed by the Governor.

Fiscal effect: Increases the Department of Insurance's administrative costs related to the Health Care Coverage and Quality Council. The 26 members of the Council are not to be compensated for their services, but will be reimbursed for mileage and other necessary expenses. The executive proposal includes \$479,575 each fiscal year in a new line item, 820609, State Coverage Initiative Administration, in order to cover administrative costs of the Council. The new line item is funded by the Department of Insurance Operating Fund (SSR Fund 5540).

R.C. 3923.90, 3923.91

(1) Same as the Executive, but revises the membership of the Council by (a) substituting the Director of Health for the Director of the Office of Healthy Ohio in the Department of Health, (b) including two additional members selected according to specified criteria, (c) removing one member appointed by the Governor, and (d) adding an unspecified number of other members appointed by the Superintendent of Insurance. Makes changes to certain duties that the Council is required to perform. Permits, rather than requires, reimbursement of necessary expenses for members.

(2) No provision.

Fiscal effect: Same as the Executive, but may increase the reimbursement expenses if the Superintendent appoints more than one member. If there is any such increase, it would likely be minimal.

Executive

As Passed by the House

46 MHC - 1 Manufactured Home Authority Transfer

R.C. 4505.01, 4505.062, 4505.111, 4505.181, 4505.20, 4517.01 - 4517.03, 4517.30, 4517.33, 4517.43, 4517.052, 4517.27, 4781.01, 4781.02, 4781.04 - 4781.07, 4781.16 - 4781.25, 4781.99

(1) No provision.

(1) Transfers from the Bureau of Motor Vehicles to the Manufactured Homes Commission (MHC) the licensing authority for manufactured housing dealers, manufactured housing brokers, and manufactured housing salespersons, and makes conforming changes to the licensure process effective July 1, 2010.

(2) No provision.

(2) Transfers the inspection authority over manufactured housing in manufactured home parks from the Ohio Department of Health to the Commission, effective January 1, 2010.

(3) No provision.

(3) Makes other changes concerning current licensure requirements for manufactured housing dealers, brokers, and salespersons, effective only until July 1, 2010.

Fiscal effect: Increased expenditures for MHC, likely offset by gains in license fees and home inspection revenues, with corresponding decreases for the Bureau of Motor Vehicles and the Department of Health.

Executive

As Passed by the House

47 DMH - 16 Regional Care Coordination Hubs

No provision.

Sections: 335.10, 335.40.15

Earmarks \$130,000 in each fiscal year of GRF appropriation item 335405, Family & Children First, to each of the regional care coordination hubs to be used to (1) help care coordination agencies, (2) collect certain information from care coordination agencies, and (3) compile the information and provide it to the hubs' governing boards and the Ohio Family and Children First Cabinet Council.

No provision.

Earmarks \$124,000 in each fiscal year of GRF appropriation item 335405, Family & Children First, to the Ohio Family and Children First Cabinet Council to be used to provide support services to the regional care coordination hubs, receive the information the regional care coordination hubs provide to the Council, and use the information to help improve care coordination services throughout the state.

Executive

As Passed by the House

48 PUC - 1 Utility Radiological Safety Board Assessments

Section: 506.10

Specifies, absent contractual agreement, the maximum amounts that may be assessed against nuclear electric utilities under R.C.4937.05 on behalf of four state agencies and that may be deposited into the specified funds as follows:

- (1) \$134,631 in each fiscal year to the Utility Radiological Safety Fund (fund 4E40) used by the Department of Agriculture;
- (2) \$887,445 in FY 2010 and \$920,372 in FY 2011 to the Radiation Emergency Response Fund (Fund 6100) used by the Department of Health;
- (3) \$286,114 in each fiscal year to the ER Radiological Safety Fund (Fund 6440) used by the Environmental Protection Agency; and
- (4) \$1,413,889 in FY 2010 and \$1,415,945 FY 2011 to the Emergency Response Plan Fund (Fund 6570) used by the Department of Public Safety.

Fiscal effect: Less than \$5.5 million will be assessed against nuclear utilities and spent by state agencies over the biennium.

Section: 506.10

Same as the Executive.

Fiscal effect: Same as the Executive.