Executive	As Passed by the House	In Senate Finance and Financial Institutions
1 DMR - 3 ODMR/DD and ODJFS Administration and Oversight Funds		
R.C. *5123.0412*	R.C. *5123.0412*	R.C. *5123.0412*
Permits ODMR/DD and the Department of Job and Family Services to use money in their respective administration and oversight funds for Medicaid administrative costs in general rather than just the administrative and oversight costs of Medicaid case management services and ODMR/DD-administered home and community-based Medicaid waiver services.	Same as the Executive.	Same as the Executive.
Fiscal effect: Broadens the use of the dollars in the funds.	**Fiscal effect: Same as the Executive.**	**Fiscal effect: Same as the Executive.**
2 DMR - 26 County MR/DD Board Levy Failure		
	R.C. *5123.0413, 5123.049, 5126.0512, 5126.19*	R.C. *5123.0413, 5123.049, 5126.0512, 5126.19*
No provision.	Eliminates a requirement that ODMR/DD adopt rules establishing a method of paying for extraordinary costs and ensure the availability of adequate funds in the event a county property tax levy for services with individuals with MR/DD fails and requires instead that ODMR/DD adopt rules to establish, in the event such a levy fails, methods of (1) paying for home and community-based services and (2) reducing the number of individuals a county MR/DD board would otherwise be required to ensure are enrolled in home and community-based services.	Same as the House.
No provision.	Abolishes the State MR/DD Risk Fund and the State Insurance Against MR/DD Risk Fund.	Same as the House.

Executive	As Passed by the House	In Senate Finance and Financial Institutions
	Fiscal effect: Minimal administrative costs associated with the development of rules and potential savings to county MR/DD boards in waiver costs if the number of individuals required to be enrolled is reduced.	**Fiscal effect: Same as the House.**
3 DMR - 29 Nursing Home Seeking Residential Facility License		
		R.C. ***5123.193, 5111.21, 5111.211, 5123.19***
No provision.	No provision.	Establishes conditions under which a nursing home seeking licensure as residential facility for up to 25 persons with mental retardation or a developmental disability is not required to obtain approval of a development plan.
No provision.	No provision.	Provides that an ICF/MR is not required to have received approval of a development plan to be eligible for Medicaid payments if, under the bill, the ICF/MR obtained licensure as a residential facility without having to obtain approval of a development plan.
No provision.	No provision.	Provides that ODMR/DD is not responsible for the state share of a Medicaid claim for ICF/MR services even though the ICF/MR receives initial certification as an ICF/MR after June 1, 2003, if the ICF/MR, pursuant to the bill, obtained licensure as a residential facility without having to obtain approval of a development plan.
		Fiscal effect: Potential savings to ODMR/DD.

	Executive	As Passed by the House	In Senate Finance and Financial Institutions
4	DMR - 2 MR/DD Personnel Providing Specified Health Care Services		
	R.C. *5123.42*		
	Provides that in a community living arrangement certified MR/DD personnel who are not health professionals may be authorized to provide certain health-care services to not more than five, rather than four, individuals with mental retardation or a developmental disability.	No provision.	No provision.
	Fiscal effect: Potential savings to ODMR/DD.		
5	DMR - 1 Number of Persons Living Together in Supported Living		
	R.C. *5126.01*		
	Provides that under the Supported Living program an individual with mental retardation or a developmental disability may reside in a residence of the individual's choice with up to four, rather than up to three, other individuals with mental retardation or a developmental disability who are not the individual's relatives.	No provision.	No provision.
	Fiscal effect: Potential savings to ODMR/DD.		
6	DMR - 4 Identity Disclosure -- County MR/DD Programs		
	R.C. *5126.044*	R.C. *5126.044*	R.C. *5126.044*
	Specifies that the prohibition against disclosing the identity of a person who is eligible for or requests programs or services from a county board of mental retardation and developmental disabilities (county MR/DD board), or an entity under contract with the board, does not apply if the disclosure is needed for the person's treatment or the payment of services.	Same as the Executive.	Same as the Executive.

	Executive	As Passed by the House	In Senate Finance and Financial Institutions
	Eliminates provisions under which a county MR/DD board or contracting entity is required to maintain a record or report of when and to whom each currently permitted disclosure or release of a person's identity is made by the board or contracting entity.	Same as the Executive.	Same as the Executive.
	Fiscal effect: Potential minimal savings to county MR/DD boards.	**Fiscal effect: Same as the Executive.**	**Fiscal effect: Same as the Executive.**
7	DMR - 25 County MR/DD Board Business and Medicaid Services Managers		
		R.C. *5126.054*	R.C. *5126.054*
	No provision.	Revises the conditions by which a county MR/DD board may satisfy a requirement to have a business manager and Medicaid services manager.	Same as the House.
		Fiscal effect: Potential savings to county MR/DD boards by allowing county boards to share business and Medicaid service managers.	**Fiscal effect: Same as the House.**
8	DMR - 24 Summary Page for MR/DD Individual Service Plans		
		R.C. *5126.055*	R.C. *5126.055*
	No provision.	Requires a county MR/DD board to include with each individualized service plan a summary page, agreed to by the board, provider, and individual, clearly outlining the amount, duration, and scope of services to be provided under the plan.	Same as the House.
		Fiscal effect: Minimal.	**Fiscal effect: Same as the House.**

	Executive	As Passed by the House	In Senate Finance and Financial Institutions
9	**DMR - 28 Golden Key Center**		
		Sections: ***337.10, 337.30.45***	
	No provision.	Earmarks $25,000 of appropriation item 322451, Family Support Services, in each fiscal year for the Golden Key Center for Exceptional Children.	No provision.
10	**DMR - 11 Lease-Rental Payments**		
	Section: ***337.20.10***	**Section:** ***337.20.10***	**Section:** ***337.20.10***
	Specifies that ODMR/DD must pay to the Ohio Public Facilities Commission from GRF appropriation item 320415, Lease-Rental Payments, pursuant to leases and agreements made under state law regarding capital facilities for mental hygiene and retardation. Specifies that the appropriations in that appropriation item are the source of funds pledged for bond service charges on obligations issued for certain capital facilities.	Same as the Executive.	Same as the Executive.
11	**DMR - 12 Residential and Support Services**		
	Section: ***337.30.10***	**Section:** ***337.30.10***	**Section:** ***337.30.10***
	Specifies that ODMR/DD may designate a portion of GRF appropriation item 322413, Residential and Support Services, for Sermak Class Services used to implement the requirements of the agreement settling the consent decree in Sermak v. Manuel.	Same as the Executive.	Same as the Executive.

Executive	As Passed by the House	In Senate Finance and Financial Institutions
12 DMR - 13 Other Residential and Support Service Programs		
Section: *337.30.20*	**Section:** *337.30.20*	**Section:** *337.30.20*
Permits the use of GRF appropriation item 322413, Residential Support Services, for residential and support service programs that enable individuals with mental retardation and developmental disabilities to live in the community.	Same as the Executive.	Same as the Executive.
13 DMR - 14 Medicaid Waiver - State Match (GRF)		
Section: *337.30.30*	**Section:** *337.30.30*	**Section:** *337.30.30*
Specifies that GRF appropriation item 322416, Medicaid Waiver - State Match, is to be used for home and community-based waiver services under Title XIX of the Social Security Act and to pay the nonfederal share of the cost of one or more new intermediate care facilities for the mentally retarded certified beds if the Director of MR/DD is required by the bill to transfer to the Director of Job and Family Services funds to pay such nonfederal share.	Same as the Executive.	Same as the Executive.
Provides that if receipts credited to the Medicaid Waiver Fund (Fund 3G60) used by ODMR/DD exceed the amounts appropriated from the fund, the Director of Mental Retardation and Developmental Disabilities may request that Director of OBM to authorize expenditures in excess of amounts appropriated and provides that upon the approval of the Director of OBM, the amounts are appropriated.	Same as the Executive.	Same as the Executive.
Provides that if receipts credited to the Interagency Reimbursement Fund (Fund 3G50) used by the Department of Job and Family Services, exceed the amounts appropriated from the fund, the Director of Job and Family Services may request that Director of OBM to authorize	Same as the Executive.	Same as the Executive.

Executive	As Passed by the House	In Senate Finance and Financial Institutions
expenditures in excess of amounts appropriated and provides that upon the approval of the Director of OBM, the amounts are appropriated.		
14 DMR - 8 Fiscal Plan for Home and Community-Based Services		
Section: ***337.30.40***	**Section:** ***337.30.40***	**Section:** ***337.30.40***
Requires the Director of MR/DD to submit a plan to the Director of Job and Family Services not later than December 31, 2009, with recommendations for actions to be taken addressing the fiscal sustainability of home and community-based services provided under Medicaid waiver programs ODMR/DD administers.	Same as the Executive, but specifies that any recommendations on modifying the methodology used in establishing provider payment rates may address (1) wages and benefits of persons who provide direct care and (2) training and supervision of those persons.	Same as the House.
Fiscal effect: Minimal.	**Fiscal effect: Same as the Executive.**	**Fiscal effect: Same as the Executive.**
15 DMR - 22 State Subsidy to County MR/DD Boards		
Section: ***337.30.50***	**Section:** ***337.30.50***	**Section:** ***337.30.50***
Except as otherwise provided in the section of the bill titled "Nonfederal Share of ICF/MR Beds," requires the Director of MR/DD, in consultation with the county MR/DD boards, to develop a formula for allocating GRF appropriation item 322501, County Boards Subsidies, to each county board. Requires ODMR/DD to distribute the subsidy to county boards in quarterly installments. Except for the portion of those dollars used to pay the nonfederal share of Medicaid expenditures, requires county boards to use the subsidy for early childhood and adult services, service and support administration, and supported living.	Same as the Executive.	Same as the Executive.

Executive	As Passed by the House	In Senate Finance and Financial Institutions
16 DMR - 9 County Share of Medicaid Home and Community-Based Services		
Section: *337.30.60*	**Section:** *337.30.60*	**Section:** *337.30.60*
Requires the Director of MR/DD to establish a methodology to be used in FY 2010 and FY 2011 to estimate the quarterly amount each county MR/DD board is to pay of the nonfederal share of home and community-based services for which the county board is responsible. Requires the Director of MR/DD to provide written notice of the amount owed by each county board for each quarter.	Same as the Executive.	Same as the Executive.
Authorizes the Director of MR/DD to withhold from a county MR/DD board, that fails to make the full payment by the time it is due, the amount the county board fails to pay from one or more state subsidies that ODMR/DD would otherwise provide to the county board.	Same as the Executive.	Same as the Executive.
17 DMR - 15 Tax Equity		
Section: *337.30.70*	**Section:** *337.30.70*	**Section:** *337.30.70*
Specifies that GRF appropriation item 322503, Tax Equity, is to be used pay each county MR/DD board an amount equal to what was received in FY 2009 if the Director of MR/DD determines that sufficient appropriation is available, or an amount that is proportionate to what was received in FY 2009 if the appropriation is insufficient.	Same as the Executive.	Same as the Executive.

	Executive	As Passed by the House	In Senate Finance and Financial Institutions
18	DMR - 16 Medicaid Waiver - State Match (Fund 4K80)		
	Section: *337.30.80*	**Section:** *337.30.80*	**Section:** *337.30.80*
	Requires that SSR Fund 4K80 appropriation item 322604, Medicaid Waiver - State Match, be used as matching funds for home and community-based waivers.	Same as the Executive.	Same as the Executive.
19	DMR - 23 ICF/MR Conversion		
		Section: *337.30.85*	**Section:** *337.30.85*
	No provision.	Provides the funding mechanism for conversion of ICF/MR beds to home and community-based services for the FY 2010-FY 2011 biennium by transferring cash from the General Revenue Fund to the Home and Community-Based Services/Mental Retardation Fund (Fund 4K80), used by ODMR/DD, appropriating the transferred amount to appropriation item 322604, Medicaid Waiver - State Match, and reducing appropriation item 600525, Health Care/Medicaid, used by the Department of Job and Family Services.	Same as the House.
20	DMR - 17 Targeted Case Management Services		
	Section: *337.30.90*	**Section:** *337.30.90*	**Section:** *337.30.90*
	Specifies that county MR/DD boards are to pay the nonfederal portion of targeted case management services to ODMR/DD and requires the Director of MR/DD to withhold any amount owed from subsequent payments from any appropriation item or money otherwise due to a nonpaying county.	Same as the Executive.	Same as the Executive.

Executive	As Passed by the House	In Senate Finance and Financial Institutions
Permits the Director of MR/DD and the Director of Job and Family Services to enter into an interagency agreement requiring ODMR/DD to pay the Department of Job and Family Services (ODJFS) the nonfederal portion of the cost of targeted case management services paid by county MR/DD boards and ODJFS to pay the total cost of targeted case management claims.	Same as the Executive.	Same as the Executive.
21 DMR - 18 Transfer to Program Fee Fund		
Section: ***337.31.10***	**Section:** ***337.31.10***	**Section:** ***337.31.10***
Requires the Director of MR/DD to request the Director of Budget and Management to transfer the cash balance in GSF Fund 4B50, Conference/Training Fund, to SSR Fund 5EV0, Program Fee Fund, on July 1, 2009 or as soon as possible thereafter and abolishes Fund 4B50 upon completion of the transfer.	Same as the Executive.	Same as the Executive.
22 DMR - 10 Developmental Center Billing for Services		
Section: ***337.31.20***	**Section:** ***337.31.20***	**Section:** ***337.31.20***
Permits a developmental center to provide services to persons with mental retardation or other developmental disabilities who live in the community or to providers of services to such persons and authorizes ODMR/DD to develop a methodology for recovering all costs associated with provision of these services.	Same as the Executive.	Same as the Executive.

Executive	As Passed by the House	In Senate Finance and Financial Institutions
23 DMR - 19 Transfer of Funds for Developmental Center Pharmacy Programs		
Section: ***337.40.10***	**Section:** ***337.40.10***	**Section:** ***337.40.10***
Requires the Director of MR/DD to transfer to the Department of Job and Family Services, by intrastate transfer voucher, cash in an amount equal to the nonfederal share of Medicaid prescription drug claim costs paid for all developmental centers. Specifies that transfers are to occur quarterly.	Same as the Executive.	Same as the Executive.
24 DMR - 20 Nonfederal Match for Active Treatment Services		
Section: ***337.40.20***	**Section:** ***337.40.20***	**Section:** ***337.40.20***
Requires that any county funds received by ODMR/DD from county MR/DD boards for active treatment be deposited into SSR Fund 4890, Mental Retardation Operating Fund.	Same as the Executive.	Same as the Executive.
25 DMR - 21 Nonfederal Share of New ICF/MR Beds		
Section: ***337.40.30***	**Section:** ***337.40.30***	**Section:** ***337.40.30***
Requires ODMR/DD to transfer funds, by intrastate transfer voucher, to ODJFS to pay the nonfederal share of Medicaid costs for beds that obtain certification as an ICF/MR bed on or after July 1, 2009.	Same as the Executive.	Same as the Executive, but provides that ODMR/DD is not required to make the transfer if the beds are in an ICF/MR that obtained licensure as a residential facility without having to obtain approval of a development plan.
Stipulates that funds the ODMR/DD Director transfers in the case of beds located in a county served by a county MR/DD board that initiates or supports the beds' certification be funds that the ODMR/DD Director has allocated to that county MR/DD board unless the amount of the allocation is insufficient to pay the entire nonfederal share of the Medicaid costs for the beds in which case the ODMR/DD Director is to	Same as the Executive.	Same as the Executive.

Executive	As Passed by the House	In Senate Finance and Financial Institutions
use as much of such funds allocated to other counties as needed to make up the difference.		
Requires the ODMR/DD Director to use only funds appropriated to ODMR/DD/DD in GRF appropriation item 322416, Medicaid Waiver - State Match, and in GRF appropriation item 322501, County Boards Subsidies, for the transfer.	Same as the Executive.	Same as the Executive.
		Fiscal effect: Potential savings to ODMR/DD.
26 DMR - 30 Recreation Unlimited Life Center		
		Section: ***610.30***
No provision.	No provision.	Amends H.B. 562 of the 127th General Assembly by changing the name of capital appropriation item C59054 "Recreation Unlimited Life Center" to "Ashley Campus Support Company."

Executive	As Passed by the House	In Senate Finance and Financial Institutions
27 GOV - 1 Service Coordination Workgroup		
Section: *751.20*	Section: *751.20*	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.	(1) Same as the Executive.	(1) Same as the Executive.
(2) Requires the Workgroup, not later than July 31, 2009, to submit a report to the Governor with recommendations for implementing the procedures.	(2) Same as the Executive.	(2) Same as the Executive.
(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.	(3) Same as the Executive.	(3) No provision.
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.	**Fiscal effect: Same as the Executive.**	**Fiscal effect: Same as the Executive.**

Executive	As Passed by the House	In Senate Finance and Financial Institutions
28 INS - 24 Health Insurance Coverage of Autism Spectrum Disorders		
	Sections: *307.10, 1739.05, 1751.68, 3923.84, and Section 271.10*	
(1) No provision.	(1) Earmarks up to $20,000 in FY 2010 of SSR Fund 5540 appropriation item 820606, Operating Expenses, to be used by the Department of Insurance for a study related to autism spectrum disorder coverage, and requires the study to be completed by January 31, 2010.	(1) No provision.
(2) No provision.	(2) Requires the Director of Budget and Management, in FY 2010, to transfer $20,000 cash from the General Revenue Fund to Fund 5540.	(2) No provision.
(3) No provision.	(3) Prohibits health insurers from excluding coverage for specified autism services for individuals diagnosed with an autism spectrum disorder but allows insurers to impose a yearly maximum of $36,000 on coverage of those services. Allows an insurer to opt out of the required coverage if the insurer can show that the incurred claims for those coverages caused the insurer's costs to increase by more than 1% and that the increase could reasonably justify an increase of more than 1% in the annual premiums or rates charged by the insurer for health insurance coverage. Exempts this provision from the existing law requirement that the Superintendent of Insurance review all new health benefit mandates before a mandate may take effect.	(3) No provision.
(4) No provision.	(4) Requires the Director of Mental Retardation and Developmental Disabilities to convene a committee on the coverage of autism spectrum disorders to investigate and recommend additional treatments or therapies for autism spectrum disorders to be covered by health insurers.	(4) No provision.

Executive	As Passed by the House	In Senate Finance and Financial Institutions
(5) No provision.	(5) Delays the applicability of the requirements to plans that are issued or renewed six months after the bill's effective date.	(5) No provision.
(6) No provision.	(6) Requires the Director of Budget and Management to transfer $1.62 million from the GRF to the State Employee Health Benefit Fund (Fund 8080) on June 30, 2010, or as soon as possible thereafter. **Fiscal effect: The provision to mandate coverage for screening, diagnosis, and treatment of an autism spectrum disorder may potentially increase the costs to Medicaid in the tens of millions of dollars per year. The federal government would likely reimburse approximately 60% of any increase in Medicaid spending if federal rules allow the federal matching rate to apply. It would increase costs to the state's health benefit plan for employees and their dependents by approximately $1.62 million in FY 2011, assuming such coverage applies to approximately 45 children under age 6 per year. The GRF would pay the cost of coverage for approximately half the individuals, with various state funds providing the rest. It would also increase costs, potentially in the millions per year, to counties, municipalities, townships, and school districts statewide of providing such coverage in their health benefits to employees and their dependents.**	(6) No provision.

Executive	As Passed by the House	In Senate Finance and Financial Institutions
Medicaid		
29 JFS - 22 ICF/MR Franchise Permit Fee		
R.C. *5112.30, 5112.31, 5112.37, 5112.371, 5112.372*	R.C. *5112.30, 5112.31, 5112.37, 5112.371, 5112.372*	R.C. *5112.30, 5112.31, 5112.37, 5112.371, 5112.372*
Subjects ICFs/MR that ODMR/DD operates (i.e., developmental centers) to the ICF/MR franchise permit fee.	Same as the Executive.	Same as the Executive.
Increases the franchise permit fee on ICF/MR beds to $14.25 per day from $11.98.	Same as the Executive.	Same as the Executive.
Provides for the money raised by the ICF/MR franchise permit fee to be deposited as follows: (1) 74.89% in FY 2010 and 70.67% in FY 2011 and thereafter into the Mentally Retarded and Developmentally Disabled Fund; (2) 3.78% in FY 2010 and 3.57% in FY 2011 and thereafter into SSR Fund 5CT0, Children With Intensive Behavioral Needs Programs; and (3) 21.33% in FY 2010 and 25.76% in FY 2011 and thereafter into a new fund created in the state treasury called the ODMR/DD Operating and Services Fund.	Same as the Executive.	Same as the Executive.
Provides for money in the ODMR/DD Operating and Services Fund to be used for expenses of the programs that ODMR/DD administers and ODMR/DD's administrative expenses.	Same as the Executive.	Same as the Executive.
Fiscal effect: Increasing the ICF/MR franchise permit fee from $11.98 to $14.25 per day per bed as well as subjecting developmental centers to the fee will generate several million dollars in additional revenue for the Medicaid Program each year.	**Fiscal effect: Same as the Executive.**	**Fiscal effect: Same as the Executive.**

Executive	As Passed by the House	In Senate Finance and Financial Institutions
30 DMH - 17 Care Coordination Information		
	R.C. *121.375*	R.C. *121.375*
No provision.	Permits a care coordination agency to provide certain information to the Ohio Family and Children First Cabinet Council regarding care coordination for at-risk individuals and permits the Council to use the information to help improve care coordination for at-risk individuals throughout the state. **Fiscal effect: None.**	Same as the House, but (1) permits the Cabinet Council to give incentives to encourage care coordination agencies to provide the information and (2) requires the Cabinet Council to adopt rules defining the terms "at-risk individual" and "care coordination agency" rather than having the statute define the terms. **Fiscal effect: Minimal increase in administrative costs for the Cabinet Council to promulgate rules and potential increase in costs to provide incentives to care coordination agencies.**

Executive	As Passed by the House	In Senate Finance and Financial Institutions
31 DRC - 11 Laboratory Services		
	R.C. *5120.135*	
(1) No provision.	(1) Permits, rather than requires, the Department of Rehabilitation and Correction to provide laboratory services to the departments of Mental Health, Mental Retardation and Developmental Disabilities, Youth Services, and Rehabilitation and Correction.	(1) No provision.
(2) No provision.	(2) Eliminates a provision that establishes a resolution process for the departments to follow if the Department of Rehabilitation and Correction provides unsatisfactory laboratory services.	(2) No provision.
	Fiscal effect: Potential revenue loss and expenditure savings, net annual effect uncertain.	