

Executive

In House Finance and Appropriations

AGECD10 Long-Term Acute Care Hospitals

R.C. 173.14, 173.26

Specifies that long-term care acute care hospitals are long-term care facilities and are subject to the authority of the Office of the State Long-Term Care Ombudsman.

Requires long-term care acute hospitals to pay the annual fee of \$6 per bed that other long-term care facilities pay to fund the Regional Long-Term Care Ombudsman programs.

Fiscal effect: Gain in revenue deposited into SSR Fund 4C40, Regional Long-Term Care Ombudsman Program. Potential increase in costs for duties relating to performing ombudsman activities in long-term acute care hospitals.

R.C. 173.14, 173.26

Same as the Executive.

Same as the Executive.

Fiscal effect: Same as the Executive.

AGECD18 Certification of Residential State Supplement Providers

R.C. 173.35

Eliminates a requirement that certain entities licensed or certified by ODH or ODMH also be certified by ODA for residents of the facility to be eligible to receive Residential State Supplement payments.

Fiscal effect: Decrease in costs for certification.

R.C. 173.35

Same as the Executive.

Fiscal effect: Same as the Executive.

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AGECD13 Residential State Supplement Program - Home First Annual Enrollment Report

R.C. 173.351

Eliminates a requirement that the ODA Director annually submit a report to the General Assembly about the number of individuals enrolled in the Home First component of the Residential State Supplement Program and the costs incurred and savings achieved as a result.

Fiscal effect: Decrease in administrative costs associated with the production of the report. The executive budget proposes transferring the RSS Program to ODMH.

R.C. 173.351

Same as the Executive.

Fiscal effect: Same as the Executive.

AGECD14 Fees for Certification of Community-Based Long-term Care Agencies

R.C. 173.391

Authorizes the ODA Director to adopt rules to establish a fee for the certification of community-based long-term care agencies.

Requires fee revenue collected for certification to be deposited into the Provider Certification Fund, which is created by the bill. Requires any money credited to the fund to be used to pay for community-based long-term care services, administrative costs associated with community-based long-term care agency certification, and administrative costs related to the publication of the Ohio Long-Term Care Consumer Guide.

Fiscal effect: Potential gain in fee revenue to be deposited into the newly created Provider Certification Fund.

R.C. 173.391

Same as the Executive.

Same as the Executive.

Fiscal effect: Same as the Executive.

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AGECD15 **Actions Regarding Certified Long-Term Care Agencies**

R.C. **173.391**

Authorizes ODA to impose two additional disciplinary sanctions after an administrative hearing: suspend a community-based long-term care agency's certification or require the agency to submit evidence of compliance with requirements identified by ODA.

Specifies that ODA is not required to hold hearings when it imposes disciplinary sanctions against a certified community-based long-term care agency if any of the following apply: (1) rules adopted by ODA require the community-based long-term care agency to be a party to a provider agreement, hold a license, certificate, or permit, or maintain a certification, and this has not been accomplished; and (2) the certification has been denied, suspended, or revoked for a variety of reasons.

Specifies that if ODA does not hold a hearing due to reasons outlined by the bill, ODA may send a notice to the agency describing the decision not to certify or the disciplinary action that is proposed. Requires that the notice be sent to the agency address on record and may be sent by regular mail.

Fiscal effect: Potential decrease in administrative costs if the provision results in fewer disciplinary hearings.

R.C. **173.391**

Same as the Executive.

Same as the Executive.

Same as the Executive.

Fiscal effect: Same as the Executive.

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AGECD17 Home First Process

R.C. 173.404, 173.401, 173.501, and 5111.894

Provides that a requirement for ODA to establish a unified waiting list for the PASSPORT, Choices, Assisted Living, and PACE programs applies if ODA determines that there are insufficient funds to enroll all individuals who have applied and been determined eligible for the programs.

Eliminates a requirement that an individual be on ODA's unified waiting list to qualify for the PASSPORT, Assisted Living, or PACE program through the Home First process.

Eliminates a requirement for ODA to make quarterly certifications to the OBM Director regarding the estimated increase in the costs of the PASSPORT, Assisted Living, and PACE programs resulting from enrollment of individuals through the Home First process.

Fiscal effect: Potential minimal decrease in administrative duties and costs relating to the elimination of the requirement that ODA make quarterly certifications.

R.C. 173.404, 173.401, 173.501, and 5111.894

Same as the Executive.

Same as the Executive.

Same as the Executive.

Fiscal effect: Same as the Executive.

AGECD12 Aging and Disabilities Resource Network

R.C. 173.41

Requires ODA to promote the development of a statewide Aging and Disabilities Resource Network to provide older adults, adults with disabilities, and their caregivers with information on available long-term care service options and access to public and private long-term care services.

Requires Area Agencies on Aging to establish the network and to collaborate with centers for independent living and other locally funded organizations to implement a cost-

R.C. 173.41

Same as the Executive.

Same as the Executive.

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effective and consumer-friendly network.

Fiscal effect: Potential increase in costs to ODA and AAAs. However, according to ODA's website, ODA is currently in the process of establishing this network and has received some federal funding for this purpose.

Fiscal effect: Same as the Executive.

AGECD16 Ohio Long-Term Care Consumer Guide - Adult Care Facilities and Home and Community Based Services Providers

R.C. *173.46, 173.45; and Section 209.30*

Allows ODA to include information about adult care facilities and providers of community-based long-term care services in the Ohio Long-Term Care Consumer Guide.

Requires ODA to identify methods and tools for assessing consumer satisfaction with adult care facilities and with the providers of home and community-based services.

Requires ODA to consider the development of a provider fee structure to support the inclusion of information about these entities in the Ohio Long-Term Care Consumer Guide.

Fiscal effect: Potential increase in administrative duties.

R.C. *173.46, 173.45; and Section 209.30*

Same as the Executive.

Same as the Executive.

Fiscal effect: Same as the Executive.

AGECD11 Ohio Long-Term Care Consumer Guide Fees

R.C. *173.48, 173.47*

Allows ODA to charge certain long-term care facilities annual fees to be used for the publication of the Ohio Long-Term Care Consumer Guide.

Increases the annual fee that may be charged to nursing homes from \$400 to \$650.

R.C. *173.48, 173.47*

Same as the Executive.

Same as the Executive.

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Fiscal effect: Gain in revenue of \$240,500 in each fiscal year to be deposited into SSR Fund 5K90, Long-Term Care Consumer Guide.

Fiscal effect: Same as the Executive.

AGECD1 Long-Term Care

Section: 209.20

Requires ODA to provide long-term care consultations to assist individuals in planning for long-term health care needs.

Requires ODA to adopt rules governing the nonwaiver funded PASSPORT and Assisted Living programs, including client eligibility.

Requires ODA to administer PASSPORT, Choices, Assisted Living, and PACE as delegated in an interagency agreement with ODJFS. Allows GRF appropriation item 490423, Long Term Care Budget - State, and FED Fund 3C40 appropriation item 490623, Long Term Care Budget, to be used for administrative costs associated with operating the programs.

Section: 209.20

Same as the Executive.

No provision.

Same as the Executive.

AGECD2 Long-Term Care Ombudsman

Section: 209.30

Requires that GRF appropriation item 490410, Long-Term Care Ombudsman, be used to fund ombudsman program activities.

Section: 209.30

Same as the Executive.

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AGECD3 Senior Community Services

Section: 209.30

Requires that GRF appropriation item 490411, Senior Community Services, be used for services designated by ODA and further requires 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.

Section: 209.30

Same as the Executive.

AGECD4 Alzheimer's Respite

Section: 209.30

Requires that GRF appropriation item 490414, Alzheimer's Respite, be used to fund Alzheimer's disease services.

Section: 209.30

Same as the Executive.

AGECD5 Senior Community Outreach and Education

Section: 209.30

Permits GSF Fund 4800 appropriation item 490606, Senior Community Outreach and Education, to be used to provide training to workers in the aging field.

Section: 209.30

Same as the Executive.

Executive

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AGECD6 Transfer of Appropriations - Federal Independence Services and Federal Aging Grants

Section: 209.30

Specifies that at the request of the ODA Director, the OBM Director 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 no more than 30% of the appropriation from which the transfer was made. Requires such transfers be reported at the next scheduled Controlling Board meeting.

Section: 209.30

Same as the Executive.

AGECD7 Regional Long-Term Care Ombudsman Program

Section: 209.30

Requires that SSR Fund 4C40 appropriation item 490609, Regional Long-Term Care Ombudsman, be used to pay the costs of operating the regional long-term care ombudsman programs designated by the Long-Term Care Ombudsman.

Section: 209.30

Same as the Executive.

Executive

In House Finance and Appropriations

AGECD8 Transfer of Resident Protection Funds

Section: 209.30

Allows the OBM Director to transfer up to \$750,000 cash in each fiscal year from the Resident Protection Fund (Fund 4E30), which is used by ODJFS, to the Ombudsman Support Fund (Fund 4E30), which is used by ODA. Specifies that moneys in Fund 5BA0 may be used by the State Office of the Long-Term Care Ombudsman Program and by regional ombudsman programs to promote person-centered care in nursing homes. Requires ODA to certify the cash balance in Fund 5BA0 to the OBM Director on July 1, 2011, or as soon as possible thereafter.

Section: 209.30

Same as the Executive.

Same as the Executive.

AGECD9 Long-Term Care Consumers Guide

Section: 209.30

Requires that SSR Fund 5K90 appropriation item 490613, Long-Term Care Consumers Guide, be used to conduct annual customer satisfaction surveys and to pay for other administrative expenses related to the publication of the Ohio Long-Term Care Consumer Guide.

Section: 209.30

Same as the Executive.

Executive

In House Finance and Appropriations

Medicaid

JFSCD80

State-Funded Components of PASSPORT and Assisted Living

R.C. 173.40, 173.401, 173.404, 173.42, 3721.56, 5111.85, 5111.89, 5111.891, 5111.892, 5111.893 (Renumbered 5111.892), 5111.894, and 5111.971

R.C. 173.40, 173.401, 173.404, 173.42, 3721.56, 5111.85, 5111.89, 5111.891, 5111.892, 5111.893 (Renumbered 5111.892), 5111.894, and 5111.971

Creates state-funded, non-Medicaid components of the PASSPORT and Assisted Living programs.

Same as the Executive.

Provides for individuals who have applications pending for the Medicaid-funded components of the PASSPORT and Assisted Living programs and meet other requirements to qualify for the state-funded components for up to three months.

Same as the Executive.

Provides that certain other individuals qualify for the state-funded component of the PASSPORT program for an unlimited number of months.

Same as the Executive.

Provides that the Home First processes for the PASSPORT and Assisted Living programs apply only to the Medicaid components of those programs.

Same as the Executive.

Fiscal effect: No net effect.

Fiscal effect: Same as the Executive.

Executive

In House Finance and Appropriations

JFSCD86 Unified Long-Term Services and Support Medicaid Waiver Program

R.C. 5111.863, 173.40, 173.401, 173.403, 5111.861 (Repealed and new enactment), 5111.862, 5111.89, 5111.894, and Section 309.33.30

Eliminates a requirement that ODJFS seek federal approval to obtain a federal Medicaid waiver to consolidate the PASSPORT, Choices, and Assisted Living programs into one Medicaid waiver program.

Requires ODJFS, working with ODA, to seek federal approval for a unified long-term services and support Medicaid waiver program to provide home and community-based services to eligible individuals of any age who require the level of care provided by NFs.

Requires ODJFS and ODA to work together to determine, on an individual program basis, whether an ODJFS or ODA Medicaid waiver program (PASSPORT, Choices, Assisted Living, Ohio Home Care, and Ohio Transitions II Aging Carve-Out) should continue to operate as separate Medicaid waiver programs or be terminated if the unified long-term services and support Medicaid waiver program is created and it covers all individuals who qualify for the programs to be terminated.

Provides that all rules, standards, guidelines, or orders issued by ODJFS or ODA before an ODJFS or ODA Medicaid waiver program is terminated remain in full force and effect on and after the termination for the purpose of concluding the program's operations.

R.C. 5111.863, 173.40, 173.401, 173.403, 5111.861 (Repealed and new enactment), 5111.862, 5111.89, 5111.894, and Section 309.33.30

Same as the Executive.

Same as the Executive.

Same as the Executive, but does not include the requirement that ODJFS and ODA, when determining whether an ODJFS or ODA Medicaid waiver program should be terminated if a unified long-term services and support Medicaid waiver program is created, consider whether the new waiver program covers all individuals who qualify for the program to be terminated.

Same as the Executive, but provides that all applicable statutes also remain in full force and effect.

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Permits ODJFS and ODA to adopt rules to implement administrative issues related to the termination of ODJFS and ODA Medicaid waiver programs.

Fiscal effect: None.

Same as the Executive, but provides for the rules to be adopted in accordance with the Administrative Procedure Act (R.C. Chapter 119.).

Fiscal effect: Same as the Executive.

JFSCD82 Administration of the Assisted Living Program

R.C. 5111.89, 5111.894

Provides for ODA to administer the Assisted Living Program without the condition that the OBM Director must have approved the contract between ODA and ODJFS regarding ODA's administration of the program.

Fiscal effect: None.

R.C. 5111.89, 5111.894

Same as the Executive.

Fiscal effect: Same as the Executive.

JFSCD81 Eligibility Requirements for the Assisted Living Program

R.C. 5111.891

Eliminates the eligibility requirement for the Medicaid-funded component of the Assisted Living Program under which an applicant must first be a nursing home resident, residential care facility resident, or participant of the PASSPORT Program, Choices Program, or an ODJFS-administered Medicaid waiver program.

Fiscal effect: May result in some savings if an individual on the Assisted Living Program, or applying for the program, can remain on, or enroll in, Assisted Living rather than move to a more expensive setting for a period of time before becoming eligible.

R.C. 5111.891

Same as the Executive.

Fiscal effect: Same as the Executive.

Executive

In House Finance and Appropriations

JFSCD96

Unified Long Term Care

Section: 309.30.20

Permits GRF appropriation item 600525, Health Care/Medicaid, to be used to:

(1) Provide the preadmission screening and resident review (PASRR), which includes screening, assessments, and determinations.

(2) Assess and provide long-term care consultations to clients regardless of Medicaid eligibility.

(3) Provide nonwaiver funded PASSPORT and assisted living services to persons who the state department has determined to be eligible to participate in the nonwaiver funded PASSPORT and assisted living programs, who applied for but have not yet been determined to be financially eligible to participate in the Medicaid waiver component of the PASSPORT Home Care Program or Assisted Living Program by a county department of job and family services, and to persons who are not eligible for Medicaid but were enrolled in the PASSPORT Program prior to July 1, 1990.

Requires GRF appropriation item 600525, Health Care/Medicaid, to be used to:

(1) Provide the required state match for federal Medicaid funds supporting the Medicaid waiver-funded PASSPORT Home Care Program, the Choices Program, the Assisted Living Program, and the PACE Program.

Section: 309.30.20

Same as the Executive.

Same as the Executive.

Same as the Executive.

Same as the Executive, but also allows PACE services to be provided to persons who are determined eligible to participate in the program and have applied for, but have not yet been determined to be financially eligible.

Same as the Executive.

Same as the Executive.

Executive

In House Finance and Appropriations

(2) Provide the federal matching share of program costs determined by ODJFS to be eligible for Medicaid reimbursement for the Medicaid waiver-funded PASSPORT Home Care Program, the Choices Program, the Assisted Living Program, and the PACE Program.
No provision.

Same as the Executive.

Requires \$13.9 million in FY 2012 and \$27.9 million in FY 2013 to be used to provide supplemental funding to the PASSPORT Program.

JFSCD27

Expansion and Evaluation of PACE

Section: 309.33.50

Requires the ODA Director to contract with Miami University's Scripps Gerontology Center for an evaluation of the PACE Program.

Allows the ODA Director, in consultation with the ODJFS Director, to expand the PACE Program to regions of Ohio beyond those currently served if the following apply:

(1) funding is available;

(2) the directors mutually determine based on the result of the evaluation that the program is a cost effective alternative to nursing home care; and

(3) the U.S. Centers for Medicare and Medicaid Services agrees to share any savings to the Medicare program, as a result of the expansion, with Ohio.

No provision.

Section: 309.33.50

Same as the Executive, but also requires the Center to collaborate with the ODA Director and PACE providers and to take into account the PACE Program's unique features.

Same as the Executive.

Same as the Executive.

Same as the Executive.

No provision.

Requires the ODA and ODJFS Directors to use their best efforts to achieve an arrangement with the U.S. Centers for Medicare and Medicaid Services to share any savings to the Medicare Program resulting from the expansion of

Executive

In House Finance and Appropriations

Specifies that if the PACE Program is expanded, the ODA Director is not allowed to decrease the number of residents of Cuyahoga and Hamilton counties and parts of Butler, Clermont, and Warren counties who are participating in the program below the number of residents of those counties and parts of counties who were enrolled in the program on July 1, 2008.

PACE with the state.

Same as the Executive, but changes "residents of" to "individuals in," "participating" and "enrolled" to "participants," and the date referenced from July 1, 2008 to July 1, 2011.

Fiscal effect: Estimated cost of \$200,000 in FY 2012 in ODA's budget for the evaluation of PACE.

Fiscal effect: Same as the Executive.

JFSCD78 Rebalancing Long-Term Care

Section: 309.35.10

Requires ODJFS, ODODD, and ODA to strive to have, by June 30, 2013, at least 50% of Medicaid recipients who are at least age 60 and need long-term services utilize non-institutionally-based long-term services and at least 60% of Medicaid recipients who are under age 60 and have cognitive or physical disabilities for which long-term services are needed utilize non-institutionally-based long-term services.

Section: 309.35.10

Same as the Executive.

Permits ODJFS to apply to participate in the federal Balancing Incentive Payments Program.

Same as the Executive.

Requires that any funds Ohio receives under the Balancing Incentive Payments Program be deposited into the Balancing Incentive Payments Program Fund, which is created in the state treasury.

Same as the Executive.

Fiscal effect: None.

Fiscal effect: Same as the Executive.

Executive

In House Finance and Appropriations

DMHCD30 Residential State Supplement

R.C. 5119.69, 173.14, 173.35, 340.091, 2903.33, 3721.56, 3722.04, 5101.35, 5119.61, 5119.691, 5119.692, Section 337.30.50

Transfers to ODMH from ODA the administration of the Residential State Supplement (RSS) Program.

Transfers the certification of adult foster homes to ODMH from ODA.

Permits ODMH to use GRF appropriation item 335506, Residential State Supplement, to: (1) provide training for adult care facilities serving residents with mental illness; (2) transfer cash to SSR Fund 5R20, Nursing Home Franchise Permit Fee Fund, used by ODJFS; and (3) make benefit payments to RSS recipients. Specifies criteria to be used for the RSS Program when determining whether a resident is eligible for payment and the monthly payment amounts residents are eligible to receive.

No provision.

R.C. 5119.69, 173.14, 173.35, 340.091, 2903.33, 3721.56, 3722.04, 5101.35, 5119.61, 5119.691, 5119.692, Sections 337.30.50, 337.30.75

Same as the Executive.

Same as the Executive, but adds specifications regarding the transition period resulting from the transfer of the licensing of adult foster homes from ODA to ODMH.

Same as the Executive.

Provides that a person receiving payments under the RSS Program on the bill's effective date is to be unaffected by the bill's transfer of the program from ODA to ODMH and adds specifications regarding the transition period.

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Fiscal effect: New GRF line item 335506, Residential State Supplement, will be used to fund the RSS Program. The bill allows ODJFS to use dollars from the Nursing Home Franchise Permit Fee Fund (Fund 5R20), which is renamed by the bill, for the RSS Program. However, it is uncertain at this time whether any transfers from this fund to support the RSS Program will take place.

Fiscal effect: Same as the Executive.

Executive

In House Finance and Appropriations

CSVCD1 Ohio Community Service Council Name Change

R.C. 121.40, 121.401, 121.402, 121.403, 121.404, 1501.40, 3301.70, 3333.043, and 4503.93

Changes the name of the Ohio Community Service Council to the Ohio Commission on Service and Volunteerism, but does not change any duties, authority, purpose, etc.

Fiscal effect: Currently, ODA acts as the OCSC's fiscal agent and appropriations for OCSC are under ODA. The bill funds OCSC as a stand-alone agency. ODA could have a minimal decrease in administrative expenses since it will no longer perform fiscal agent duties for OCSC. However, there could be some minimal increases in administrative expenses for OCSC as it transitions to operating as a stand-alone agency.

R.C. 121.40, 121.401, 121.402, 121.403, 121.404, 1501.40, 3301.70, 3333.043, and 4503.93

Same as the Executive.

Fiscal effect: Same as the Executive.