

Executive

In House Finance and Appropriations

DOHCD14 BCMH Rebates for Drugs and Nutritional Formulas

R.C. 3701.021, 3701.023

Authorizes ODH to establish a rebate program for its Bureau for Children with Medical Handicaps (BCMh) program that would require a manufacturer of a drug or nutritional formula to enter into a rebate agreement as a condition of having the drug or nutritional formula covered by programs administered under BCMH.

Fiscal effect: Gain of rebates.

R.C. 3701.021, 3701.023

Same as the Executive, but provides that the rebate program created may be a rebate or a discount program.

Fiscal effect: Same as the Executive.

DOHCD18 Abstinence Education - Title V Funds

No provision.

R.C. 3701.0211

Requires the ODH Director to annually apply for federal Title V funds each year funds are made available for abstinence education.

**Fiscal effect: Potential gain of federal Title V funds.
Potential minimal increase in administrative costs.**

DOHCD21 Definition of Health Home

No provision.

R.C. 3701.032

Permits the ODH Director to adopt rules that define what constitutes a health home for the purpose of any entity authorized to provide care coordination services.

Fiscal effect: Potential minimal increase in costs for administration and rule promulgation.

Executive

In House Finance and Appropriations

DOHCD16 Help Me Grow

R.C. 3701.61

Specifies that besides encouraging prenatal and well-baby care, the Help Me Grow Program's purpose is to also provide parenting education to promote the comprehensive health and development of children and to provide early intervention services pursuant to federal law.

Provides that home visiting services are provided to eligible families with a pregnant woman or an infant or toddler under age three (rather than newborn infants and their families as is currently the practice). Eliminates a requirement that a request for home visiting services be made by a parent of an eligible infant before the services can be provided.

Permits the ODH Director to enter into interagency agreements with state agencies to implement Help Me Grow and distribute funds through contracts, grants, or subsidies to entities providing services and eliminates a requirement that the distribution of subsidies to counties is a program requirement. Requires ODH to establish a system of payment to program providers to the extent funds are available.

No provision.

No provision.

R.C. 3701.61

Same as the Executive.

Same as the Executive.

Same as the Executive.

Requires providers of home visiting services, as a condition of receiving payment for the services, to report to the ODH Director data on program performance indicators, including the risk indicators of low birth weight and pre-term births.

Requires the ODH Director to prepare an annual report on the data received from the home visiting services providers.

Executive

In House Finance and Appropriations

Specifies that families currently enrolled in the At-Risk Program will remain eligible for services until December 31, 2013, or until the child reaches three years of age.

Same as the Executive.

Specifies certain rules regarding eligibility for services, eligibility for providers of services, complaint procedures, and criteria for payment, that must be adopted to implement the Help Me Grow Program.

Same as the Executive.

Fiscal effect: Some of the provisions are updating the law dealing with the program to align with recent program changes, so there will be little to no fiscal impact.

Fiscal effect: Same as the Executive.

However, the provision that permits the ODH Director to enter into interagency agreements with state agencies to implement the program and distribute funds was requested to make necessary changes that could allow ODH to collect some Medicaid reimbursements for certain activities conducted under Help Me Grow. Additionally, may impact who at the community level receives the money to provide services depending on what changes are made in the contracting arrangements with the provider agencies.

DOHCD17 Clinical Laboratory Services Providers

R.C. 3701.94, 3701.941, and 3702.31

No provision.

Prohibits a clinical laboratory services provider from inducing physicians or group practices to refer patients in exchange for remuneration and to split fees.

No provision.

Prohibits, generally, a clinical laboratory services provider from placing laboratory personnel in physician or group practice offices.

No provision.

Requires the ODH Director to impose a civil fine of not less than \$1,000 and not more than \$10,000 for each day a clinical laboratory services provider violates prohibitions

Executive

In House Finance and Appropriations

listed above.

Fiscal effect: Potential gain in fine revenues to SSR Fund 5B50, Quality Monitoring and Inspection Fund.

DOHCD15 Vital Statistics Fees - Portion Transferred to State Office

R.C. 3705.24

Reduces to \$3 (from \$4) the portion of the \$12 minimum fee for a certified copy of a vital record or certification of birth that must be transferred from a local board of health to the State Office of Vital Statistics and used to support public health systems.

Fiscal effect: Revenue loss of approximately \$1 million to SSR Fund 4700, General Operations. Revenue gain of approximately \$1 million to local boards of health.

R.C. 3705.24

Same as the Executive.

Fiscal effect: Same as the Executive.

DOHCD11 Licensing and Inspection of Marinas

R.C. 3733.21, 3701.83, 3709.09, 3709.092, 3733.22 - 3733.30 (All Repealed), and 3733.99; and Section 737.20

Repeals the statutes governing the licensure and inspection of marinas, including the requirement that the Public Health Council adopt rules for such purposes.

Requires a board of health that has a marina within its jurisdiction to adopt rules regarding the inspection and licensing of marinas within 12 months of the provision's effective date. Allows a board to charge a fee for a license.

Establishes procedures for the transition of these operations to the boards of health.

No provision.

No provision.

No provision.

Executive

In House Finance and Appropriations

Fiscal effect: Loss of \$29,200 in fee revenue each year transferred from the local boards of health and deposited into SSR Fund 4700, General Operations. Decrease of \$10,800 in supplemental GRF expended on the program. Currently, boards of health charge license and inspection fees for marinas and transfer a portion of these fees to the General Operations Fund. ODH currently acts in an advisory role for these programs and uses funds collected for the administration of the program.

DOHCD13 Licensing and Inspection of Agricultural Labor Camps

R.C. *3733.42, 3701.83, 3733.41, 3733.43 (Repealed), 3733.431 (Repealed), 3733.44 - 3733.47 (All Repealed), 3733.471 (Repealed), 3733.48 (Repealed), 3733.49 (3733.43), 3733.99, 3733.41, 4141.031, and 5321.01; and Section 737.10*

Repeals the statutes governing the licensure and inspection of agricultural labor camps, including the requirement that the Public Health Council adopt rules for such purposes.

No provision.

Requires a board of health that has an agricultural labor camp within its jurisdiction to adopt rules regarding the inspection and licensing of these within 12 months of the provision's effective date. Allows a board to charge a fee for a license.

No provision.

Establishes procedures for the transition of these operations to the boards of health.

No provision.

Executive

In House Finance and Appropriations

Fiscal effect: Loss of \$41,700 in fee revenue collected for licenses and inspections and deposited into SSR Fund 4700, General Operations. Decrease of \$65,468 in supplemental GRF expended on the program. ODH currently performs licensure and inspection duties relating to agricultural labor camps.

DOHCD12 Licensing and Inspections of Manufactured Home Parks

R.C. *3733.02, 3701.83, 3709.085, 3709.09, 3709.092, 3733.01, 3733.091, 3733.101, 3733.13; 3733.021 (Repealed), 3733.022 (Repealed), 3733.024 (Repealed), 3733.025 (Repealed), 3733.03 (Repealed), 3733.031 (Repealed), 3733.04 - 3733.08 (All Repealed), 3733.41, 3733.99, 4781.04, 4781.07, and 4781.14; and Section 737.30*

Repeals the statutes governing the licensure and inspection of manufactured home parks, including the requirement that the Public Health Council adopt rules for such purposes.

No provision.

Requires a board of health that has a manufactured home park within its jurisdiction to adopt rules regarding the inspection and licensing of these within 12 months of the provision's effective date. Allows a board to charge a fee for a license.

No provision.

Establishes procedures for the transition of these operations to the boards of health.

No provision.

Executive

In House Finance and Appropriations

Fiscal effect: Loss of \$245,800 in fee revenue transferred from the local boards of health and deposited into SSR Fund 4700, General Operations. Decrease of \$52,000 in supplemental GRF expended on the program. Currently, boards of health charge license and inspection fees for manufactured home parks and transfer a portion of these fees to the General Operations Fund. ODH currently acts in an advisory role for these programs and uses funds collected for the administration of the program.

DOHCD1 HIV/AIDS Prevention/Treatment

Section: 291.20

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

Section: 291.20

Same as the Executive.

DOHCD2 Public Health Laboratory

Section: 291.20

Requires that a portion of GRF appropriation item 440451, Public Health Laboratory, be used for the coordination and management of prevention program operations and the purchase of drugs for sexually transmitted diseases.

Section: 291.20

Same as the Executive.

Executive

In House Finance and Appropriations

DOHCD3

Help Me Grow

Section: 291.20

Requires that GRF appropriation item 440459, Help Me Grow, be used to distribute subsidies to counties to implement the Help Me Grow Program. Allows the appropriation to be used in conjunction with Early Intervention funding from the ODODD and in conjunction with other early childhood funds and services to promote the optimal development of young children and family-centered programs and services that acknowledge and support the social, emotional, cognitive, intellectual, and physical development of children and the vital role of families in ensuring the wellbeing and success of children. Requires ODH to enter into an interagency agreement with ODE, ODODD, ODJFS, and ODMH to ensure that all early childhood programs and initiatives are coordinated and school-linked.

Requires a home-visiting program selected by a county Family and Children First Council to meet certain eligibility guidelines to receive funding under GRF appropriation item 440459, Help Me Grow.

Specifies that GRF appropriation item 440459, Help Me Grow, may also be used for the Developmental Autism and Screening Program.

Section: 291.20

Same as the Executive.

Same as the Executive.

Same as the Executive.

Executive

In House Finance and Appropriations

DOHCD20 Federally Qualified Health Centers

No provision.

Section: 291.20

Specifies that tobacco funds previously disbursed under subsidy agreements between ODH and the Ohio Association of Community Health Centers are to be available to federally qualified health centers in the same manner as those funds in GRF appropriation item 440465, Federally Qualified Health Centers.

DOHCD4 Targeted Health Care Services Over 21

Section: 291.20

Requires GRF appropriation item 440507, Targeted Health Care Services Over 21, be used to administer the Cystic Fibrosis Program and the Hemophilia Insurance Premium Payment Program.

Requires GRF appropriation item 440507, Targeted Health Care Services Over 21, also be used to provide essential medications and to pay the copayments for drugs approved by ODH and covered by Medicare Part D that are dispensed to BCMH participants for the Cystic Fibrosis Program.

Requires ODH to expend all funds in GRF appropriation item 440507.

Section: 291.20

Same as the Executive.

Same as the Executive.

Same as the Executive.

Executive

In House Finance and Appropriations

DOHCD5 Genetics Services

Section: 291.20

Requires SSR Fund 4D60 appropriation item 440608, Genetics Services, to be used to administer programs for newborn screening and genetic diseases. Prohibits these funds from being used to counsel or refer for abortion, except in the case of a medical emergency.

Section: 291.20

Same as the Executive.

DOHCD6 Medically Handicapped Children Audit

Section: 291.20

Requires that the Medically Handicapped Children Audit Fund (Fund 4770) 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.

Section: 291.20

Same as the Executive.

Allows moneys in Fund 4770 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.

Same as the Executive.

Allows moneys in Fund 4770 to be expended for administrative expenses incurred for the Medically Handicapped Children's Program.

Same as the Executive.

Executive

In House Finance and Appropriations

DOHCD7 Cash Transfer from Liquor Control Fund to Alcohol Testing and Permit Fund

Section: 291.20

Allows the OBM Director to transfer up to \$551,018 in cash from the Liquor Control Fund (Fund 7043), which is used by the Department of Commerce, to the Alcohol Testing and Permit Fund (Fund 5C00), which used by ODH, in FY 2012 to meet the operating needs of the Alcohol Testing and Permit Program. Specifies that this transfer is to be determined by a transfer schedule set by ODH.

Section: 291.20

Same as the Executive.

DOHCD8 Medically Handicapped Children - County Assessments

Section: 291.20

Requires that SSR Fund 6660 appropriation item 440607, Medically Handicapped Children - County Assessments, be used to make payments for expenses associated with the Bureau for Children with Medical Handicaps.

Section: 291.20

Same as the Executive.

DOHCD9 Nursing Facility Technical Assistance Program

Section: 291.20

Permits, on July 1, 2009, or as soon as possible thereafter, the OBM Director to transfer cash from the Resident Protection Fund (Fund 4E30), which is used by ODJFS, to the Nursing Facility Technical Assistance Program Fund (Fund 5L10), which is used by ODH. Requires the transferred cash to be used for the Nursing Facility Technical Assistance Program. Requires the transfer to be up to \$698,595 in each fiscal year.

Section: 291.20

Same as the Executive, but changes the date to July 1, 2011.

Executive

In House Finance and Appropriations

DOHCD10 Early Intervention Workgroup

Section: 291.30

Requires ODH to convene a workgroup to develop recommendations for eligibility criteria for early intervention services to be provided pursuant to Part C of the Individuals with Disability Education Act. Requires the recommendations to be based on available funds and national data related to the identification of infants and toddlers who have developmental delays or are most at risk for developmental delays and would benefit from these early intervention services.

Specifies the membership of the workgroup and states that it is required to be facilitated by ODH.

Specifies that the last date that the workgroup can submit recommendations is October 1, 2011. Allows the ODH Director to accept the recommendations, if submitted, in whole or in part.

Specifies that if the workgroup does not submit recommendations, the ODH Director is required to implement eligibility criteria and specifies what the recommendations should be based on.

Specifies that the workgroup ceases to exist on October 1, 2011.

Fiscal effect: The bill does not specify whether non-state employee members of the workgroup are to receive reimbursement for necessary and actual expenses. If they do, there could be negligible increases in costs.

Section: 291.30

Same as the Executive.

Same as the Executive, but adds a representative of ODJFS as a member.

Same as the Executive.

Same as the Executive.

Same as the Executive.

Fiscal effect: Same as the Executive.

Executive

In House Finance and Appropriations

DOHCD19 Certificate of Need for New Nursing Home

No provision.	<p>Section: 291.40</p> <p>Requires the ODH Director to accept a certificate of need application for the establishment, development, and construction of a new nursing home under the following conditions:</p>
No provision.	<p>(1) the application is submitted not later than 180 days after the bill's effective date;</p>
No provision.	<p>(2) the nursing home is to be located in a county that had a population of between 30,000 and 41,000 persons in the 2000 federal census;</p>
No provision.	<p>(3) the nursing home is to be located on a campus that has been in operation for at least 12 years;</p>
No provision.	<p>(4) at least one existing residential care facility with at least 25 residents and at least on existing independent living dwelling for seniors with at least 75 residents are located on the same campus; and</p>
No provision.	<p>(5) the nursing home is to have not more than 30 beds, all of which are to be transferred from an existing nursing home in Ohio and are proposed to be licensed as nursing home beds.</p> <p>Fiscal effect: Offsetting revenue and expenditures. Potential gain in revenue from the application that would be deposited into SSR Fund 4710, Certificate of Need. Subsequent increase in administrative costs relating to review and other tasks associated with the application.</p>

Executive

In House Finance and Appropriations

Medicaid

JFSCD107 Ohio Cancer Incidence Surveillance System

No provision.

R.C. 5111.83

Requires the ODJFS Director to apply for approval to claim federal financial participation for the administrative costs that the Department of Health and the Arthur G. James and Richard J. Solove Research Institute of the Ohio State University incurs in analyzing and evaluating cancer reports under the Ohio Cancer Incidence Surveillance System and effects of cancer on Medicaid recipients and other low-income populations.

Fiscal effect: Potential gain of federal Medicaid reimbursement if approved by the federal government.

JFSCD38 Care Coordination for Families and Children Pending Managed Care Enrollment

Section: 309.30.50

Requires ODJFS and the Department of Health (ODH) to work together on the issue of achieving efficiencies in the delivery of medical assistance provided under Medicaid to families and children.

Requires ODJFS and ODH to develop a proposal for coordinating medical assistance provided to families and children under Medicaid while they wait to be enrolled in Medicaid managed care.

Permits ODJFS to seek federal approval to authorize payment for Medicaid-reimbursable targeted case management services that are provided in connection with ODH's Help Me Grow program.

Section: 309.30.50

Same as the Executive.

Same as the Executive.

Same as the Executive.

Executive

In House Finance and Appropriations

Fiscal effect: Potential savings and potential gain of federal Medicaid reimbursement.

Fiscal effect: Same as the Executive.

JFSCD48 BEACON Quality Improvement Initiatives

Section: 309.33.40

Permits ODJFS, ODH, and ODMH in conjunction with the Governor's Office of Health Transformation, to seek assistance from, and work with, the Best Evidence for Advancing Child Health in Ohio Now (BEACON) Council and hospital and other provider groups to identify specific targets and initiatives to reduce the cost, and improve the quality, of medical assistance provided under Medicaid to children.

Fiscal effect: None.

Section: 309.33.40

Same as the Executive, but removes the BEACON Council from the entities that the agencies are to seek assistance from and to work with.

Fiscal effect: Same as the Executive.

Executive

In House Finance and Appropriations

MHCCD1

Manufactured Homes Commission Oversight of Manufactured Homes Parks

R.C. 1901.19, 1909.11, 1923.01, 1923.02, 1923.061, 1923.15, 2305.01, 3709.085, 3729.01, 3733.01 (Repealed), 3733.02, new and existing sections under Chapter 4781, 3733.41, 3781.06, 4503.061, 4503.062, 4517.01, 4517.04, 4517.09, 4517.10, 4517.12, 4517.13, 4517.14, 4517.23, 4517.24, 4517.44, 4905.90, 6111.46, Sections 737.30, 747.10, 747.20

(1) No provision.

(1) Transfers authority for licensing and inspecting manufactured homes parks from the Department of Health and local boards of health to the Manufactured Homes Commission.

(2) No provision.

(2) Requires the Commission to adopt rules regarding the inspection and licensing of manufactured homes parks no later than December 1, 2011.

(3) No provision.

(3) Replaces the member of the Manufactured Homes Commission that represents the Department of Health with a member who is a registered sanitarian, has experience with the regulation of manufactured homes, and is an employee of a health district.

(4) No provision.

(4) Stipulates that the term of the member of the Manufactured Homes Commission who is a representative of the Department of Health ends on the effective date of this section, and that the initial term of the registered sanitarian shall expire when the original member's term would have expired.

Executive

In House Finance and Appropriations

(5) No provision.

(5) Specifies the following apply when a person violates Manufactured Homes Law: (A) requires the Commission to hold a hearing and to notify the alleged violator of the hearing; (B) authorizes the Commission to levy a fine of not more than \$1,000 per violation per day; (C) authorizes the Commission to apply to the court of common pleas to compel an alleged violator if the person does not appear for the associated hearing; and (D) authorizes the Commission to forward the name of the violator and the amount of the fine to the Attorney General for collection, if the violator does not pay the fine.

(6) No provision.

(6) Makes a violation of the regulation of manufactured homes parks a fourth degree misdemeanor.

(7) No provision.

(7) Removes manufactured housing brokers from regulation by the Bureau of Motor Vehicles, correcting an outdated reference, as such brokers are currently regulated by the Manufactured Homes Commission.

(8) No provision.

(8) Requires the Director of Budget and Management to transfer cash that has been collected pursuant to the regulation of manufactured homes parks from the SSR General Operations Fund (Fund 4700), used by the Department of Health, to the GSF Occupational Licensing and Regulatory Fund (Fund 4K90).

Executive

In House Finance and Appropriations

Fiscal effect: The provision will increase administrative duties and costs related to MHC's oversight of Ohio's roughly 1,800 manufactured homes parks. The bill authorizes MHC to adopt licensing fees to offset these costs. Currently, local boards of health charge license and inspection fees for manufactured home parks and transfer a portion of these fees to the General Operations Fund (Fund 4700), used by the Department of Health. The Department currently acts in an advisory role and uses funds collected for the administration of the program. As a result of the program transfer, there will be a loss of fee revenue and a subsequent decrease in expenditures for both the Department and the local boards of health.

Executive

In House Finance and Appropriations

DMHCD14 Adult Care Facilities

R.C. 5119.70, 5119.701 to 5119.88, 5119.99; *Conforming changes in 109.57, 109.572, 173.14, 173.21, 173.26, 173.35, 173.36, 173.42, 340.03, 340.05, 2317.02, 2317.422, 2903.33, 3313.65, 3701.07, 3701.74, 3721.01, 3721.02, 3722.99 (Repealed), 3737.83, 3737.841, 3781.183, 3791.043, 5101.60, 5101.61, 5111.113, 5119.22, 5119.61, 5119.613, 5119.99, 5123.19, 5701.13, and 5731.39; Section 337.30.80*

Transfers from ODH to ODMH responsibility for licensing adult care facilities and requires ODMH to adopt rules governing adult care facilities.

Specifies that inspections of adult care facilities may be conducted as desk audits or on-site inspections. Provides that if an inspection is conducted to investigate a violation in an adult care facility that serves residents receiving publicly funded mental health services or RSS Program payments, the bill permits the inspection to be coordinated with the appropriate community behavioral health board or RSS administrative agency.

Adds the right to be free from seclusion and mechanical restraint to the rights of an adult care facility resident and modifies the current definition of "physical restraint."

Removes residents' rights advocates from the list of individuals authorized to assert on behalf of adult care facility residents their statutory residents' rights. Eliminates the authority of residents' rights advocates and sponsors of

R.C. 5119.70, 5119.701 to 5119.88, 5119.99; *Conforming changes in 109.57, 109.572, 173.14, 173.21, 173.26, 173.35, 173.36, 173.42, 340.03, 340.05, 2317.02, 2317.422, 2903.33, 3313.65, 3701.07, 3701.74, 3721.01, 3721.02, 3722.99 (Repealed), 3737.83, 3737.841, 3781.183, 3791.043, 5101.60, 5101.61, 5111.113, 5119.22, 5119.61, 5119.613, 5119.99, 5123.19, 5701.13, and 5731.39; Section 337.30.80*

Same as the Executive, but provides that the transfer is to occur on July 1, 2011, rather than the effective date of the bill, and adds other certain specifications regarding the transfer.

Same as the Executive.

Same as the Executive.

Same as the Executive.

Executive

In House Finance and Appropriations

residents or prospective residents to enter an adult care facility during reasonable hours.

If a court grants injunctive relief for operating an adult care facility without a license, requires the facility to assist in relocating residents rather than requiring the facility to assist residents' rights advocates in relocating facility residents as is the case in current law.

Specifies that certain government and mental health agency employees and the ODMH Director may release resident-identifying information from the records of an adult care facility, if authorized by law to do so.

Specifies that a license issued by the ODH Director to an adult care facility is deemed to be a license issued by the ODMH Director if that license is current and valid when the licensing program is transferred to ODMH.

Fiscal effect: According to ODMH, about \$1.1 million in funding has been added in each year to GRF line item 333321, Central Administration, for ODMH to license and inspect adult care facilities.

Same as the Executive.

Same as the Executive.

Same as the Executive.

Fiscal effect: Same as the Executive.

Executive

In House Finance and Appropriations

LOCCD7 Office Space for General Health Districts

R.C. 3709.34, 3709.341

Requires a board of county commissioners to provide office space and utilities to the county's general health district board of health through FY 2011, and to provide payments in FY 2012 through FY 2015 based on specified decreasing proportions of the estimated costs of office space and utilities, with no obligation to provide or make payments for office space and utilities after FY 2015.

Relieves a board of county commissioners of its obligation to provide office space and utilities if the board of health rents, leases, lease-purchases, or acquires office space on its own.

Authorizes a board of county commissioners to donate or sell property, buildings, and furnishings to any board of health of a general or combined health district.

Fiscal effect: Reduction in costs for boards of county commissioners since they will pay a decreasing portion of costs for office space and utilities through FY 2015 and will not be required to pay any portion after that date.

Subsequent increase in costs for local boards of health in a general health district.

R.C. 3709.34, 3709.341

Same as the Executive.

Same as the Executive.

Same as the Executive.

Fiscal effect: Same as the Executive