

Executive

In House Finance and Appropriations

DDDCD36 County Family and Children First Council Membership

R.C. 121.37

Permits a superintendent of multiple county boards of developmental disabilities (DD) to appoint a designee to participate on a county's family and children first council.

Fiscal effect: None.

R.C. 121.37

Same as the Executive.

Fiscal effect: Same as the Executive.

DDDCD33 Employment First Policy

R.C. 5123.022, 5123.023, 5126.01, 5126.05, 5126.051, 5126.084

Defines terms used in the state's employment first policy for individuals with DD.

Authorizes the ODODD Director to establish an employment first task force.

Requires each county DD board to implement an employment first policy.

Fiscal effect: The Employment First Task Force has already been established under Executive Order. Potential increase in administrative costs for county DD boards to establish and implement employment first policies.

R.C. 5123.022, 5123.023, 5126.01, 5126.05, 5126.051, 5126.084

Same as the Executive.

Same as the Executive.

Same as the Executive.

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DDDCD34 Fees Charged to County DD Boards for Home and Community-Based Services

R.C. 5123.0412

Specifies ODODD is to retain all of the fees that county DD boards pay for Medicaid-paid claims for home and community-based services instead of the fees being split between ODODD and ODJFS.

Fiscal effect: Gain in revenue to ODODD of about \$5.2 million in FY 2014 and \$5.7 million in FY 2015. In FY 2014 and FY 2015 total fee revenue is estimated at \$17.3 million and \$19.0 million, respectively, which, under this provision, would all go to ODODD. Under current law and practice ODODD would retain about 70% of fee revenue, which would amount to about \$12.1 million in FY 2014 and \$13.3 million in FY 2015.

R.C. 5123.0412

Same as the Executive.

Fiscal effect: Same as the Executive.

DDDCD39 ODODD's Administration of Medicaid Coverage of ICF Services

R.C. 5124.

Relocates, via a reenactment process, numerous provisions of current law governing Medicaid coverage of intermediate care facility (ICF) services as part of the transfer of the administration of these services to ODODD. The LSC Bill Analysis for H.B. 59 contains tables showing the relocation of these sections in greater detail. The tables may be found under the heading "MEDICAL ASSISTANCE PROGRAMS RELOCATION TABLES."

Fiscal effect: None. ODODD assumed responsibility for certain duties related to ICFs in FY 2013. Staff from ODJFS have already moved to ODODD to administer the responsibilities.

R.C. 5124.

Same as the Executive.

Fiscal effect: Same as the Executive.

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DDDCD7

Reorganization of Law Governing ICF Services and Renaming ICFs

R.C. 5124.01, 1337.11, 2133.01, 2317.02, 3317.02, 3701.74, 3702.62, 3721.10, 3795.01, 4723.17, 5103.01, 5103.02, 5111.211 (repealed), 5123.171, 5123.19, 5123.192, 5123.198, 5123.38, 5126.054, 5126.055, 5162.01, 5162.21, 5163.01, 5163.31, 5163.33, 5164.01, 5164.35, 5164.37, 5164.38, 5164.46, 5164.70, 5166.01, 5166.02, 5166.04, 5166.20, 5168.60 - 5168.68, and 5168.70; Chapters 5124. and 5165.; and, Sections 259.10, 259.50, 259.80, 259.110, 259.200 - 259.260, 323.230, and 812.60

R.C. 5124.01, 1337.11, 2133.01, 2317.02, 3317.02, 3701.74, 3702.62, 3721.10, 3795.01, 4723.17, 5103.01, 5103.02, 5111.211 (repealed), 5123.171, 5123.19, 5123.192, 5123.198, 5123.38, 5126.054, 5126.055, 5162.01, 5162.21, 5163.01, 5163.31, 5163.33, 5164.01, 5164.35, 5164.37, 5164.38, 5164.46, 5164.70, 5166.01, 5166.02, 5166.04, 5166.20, 5168.60 - 5168.68, and 5168.70; Chapters 5124. and 5165.; and, Sections 259.10, 259.50, 259.80, 259.110, 259.200 - 259.260, 323.230, and 812.60

Reorganizes laws governing intermediate care facility (ICF) services.

Same as the Executive.

Replaces references in state law to intermediate care facilities for the mentally retarded (ICFs/MR) with references to intermediate care facilities for individuals with intellectual disabilities (ICFs/IID). (In all other entries in this Comparison Document, references to these facilities are made using the more generic acronym "ICF", regardless of whether the bill at the time refers to them as ICFs/MR or ICFs/IID).

No provision.

Refers to ICFs/IID in new sections of permanent and temporary law to conform with changes made to existing law sections.

Same as the Executive, but in those new sections of permanent and temporary law, changes the name to ICFs/MR.

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DDDCD12 Cost Report for Downsized or Partially Converted ICF

R.C. 5124.10, 5124.01, 5124.101, 5124.102, 5124.107, 5124.108, 5124.109, and 5124.522

Permits an ICF that downsizes or partially converts to providing home and community-based services to file a Medicaid cost report if the ICF has, on the day it downsizes or partially converts, a Medicaid-certified capacity that is at least 10% lower than its Medicaid-certified capacity on the day before and at least five fewer ICF beds than it has on the day before.

Provides for the cost report to cover the period that begins with the day that the ICF downsizes or partially converts and ends on the first day of the month immediately following the first three full months of operation as a downsized ICF or partially converted ICF.

Provides for the cost report to be used to determine the ICF's Medicaid payment rate for the period (1) beginning on the day that it downsizes or partially converts if that day is the first day of a month or, if not, beginning on the first day of the month following the month that the ICF downsizes or partially converts and (2) ending on the first day of the fiscal year for which it begins to be paid a rate determined using a cost report filed in accordance with regular filing procedures.

Fiscal effect: Estimated increase in Medicaid ICF payments of \$1.4 million (\$500,000 state share) in FY 2014 and of \$6.8 million (\$2.5 million state share) in FY 2015, based on the Medicaid cost reports.

R.C. 5124.10, 5124.01, 5124.101, 5124.102, 5124.107, 5124.108, 5124.109, and 5124.522

Same as the Executive.

Same as the Executive.

Same as the Executive.

Fiscal effect: Same as the Executive.

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DDDCD11 ICF Medicaid Rates for Capital Costs

R.C. *5124.17, 5124.21, and 5124.28; Section 812.60*

Effective July 1, 2014, modifies Medicaid payments for ICF capital costs by:

- (1) halving the efficiency incentive payments to ICFs with more than eight beds,
- (2) eliminating nonextensive renovation payments to ICFs with more than eight beds, and
- (3) eliminating return on equity payments to all ICFs.

Fiscal effect: Estimate decrease in ICF payments of about \$1.6 million (\$600,000 state share) in FY 2015.

R.C. *5124.17, 5124.21, and 5124.28; Section 812.60*

Same as the Executive.

Same as the Executive.

Same as the Executive.

Same as the Executive.

Fiscal effect: Same as the Executive.

DDDCD10 ICF Efficiency Incentives for Indirect Care Costs

R.C. *5124.21*

Reduces, beginning with FY 2015, the efficiency incentive that is part of the Medicaid payment rate for the indirect care costs of ICFs with more than eight beds to 3.55% (from 7.1%) of the maximum rates for indirect care costs established for the peer groups of such ICFs.

Fiscal effect: Estimated decrease in Medicaid ICF payments of about \$1.4 million (\$500,000 state share) in FY 2015.

R.C. *5124.21*

Same as the Executive.

Fiscal effect: Same as the Executive.

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DDDCD19 Medicaid Rate Add-On for Outlier ICF Services

R.C. *5124.25, 5124.15, Section 259.220*

Requires ODODD, subject to ODM's approval, to pay a qualifying ICF provider a Medicaid rate add-on for outlier ICF services provided on or after July 1, 2014, to a resident who is a Medicaid recipient, is under 22 years of age, is dependent on a ventilator, and meets other requirements established in rules.

Fiscal effect: Potential increase in Medicaid ICF payments in FY 2015, with potential offsetting decrease to Medicaid hospital payments, as hospitals currently provide such services.

R.C. *5124.25, 5124.15, Section 259.220*

Same as the Executive.

Fiscal effect: Same as the Executive.

DDDCD9 Medicaid Rates for Low Resource Utilization Residents

R.C. *5124.152, 5124.01*

Provides for the ODODD Director to establish in rules a flat Medicaid payment rate for ICF services provided on or after July 1, 2014, to low resource utilization residents.

Fiscal effect: Potential decrease in ICF payments.

R.C. *5124.152, 5124.01*

Same as the Executive.

Fiscal effect: Same as the Executive.

DDDCD40 County Board of Developmental Disabilities Member Terms

No provision.

R.C. *5126.026*

Notwithstanding the limitation of three consecutive member terms, if a county DD board experiences extenuating circumstances, as determined by the ODODD Director, and the appointing authority requests a waiver.

Fiscal effect: None.

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DDDCD35 Regional Council and County Board of Developmental Disabilities Annual Cost Report

R.C. 5126.131

Requires each regional council and county DD board to file with ODODD a cost report on its expenditures and income.

Requires ODODD or an entity designated by ODODD to audit each cost report, and specifies circumstances when changes to a filed cost report may be made.

Permits ODODD to withhold regional council or county DD board subsidy payments if a cost report is not filed on time with ODODD or if the report is determined by ODODD to not be auditable.

Fiscal effect: Potential increase in costs for regional councils and county DD boards to file cost reports. Potential increase in costs for ODODD to audit reports.

R.C. 5126.131

Same as the Executive.

Same as the Executive.

Same as the Executive.

Fiscal effect: Same as the Executive.

DDDCD13 ICF Franchise Permit Fees

R.C. 5168.60

Sets the rate for the franchise permit fee charged ICFs at \$18.24 for FY 2014 and \$18.17 for FY 2015 and thereafter.

Fiscal effect: Estimated franchise fee revenue to ODODD of \$46.5 million in FY 2014 and \$45.4 million in FY 2015.

Estimated franchise fee payments made for state developmental centers (DCs) of \$7.6 million in FY 2014 and \$6.9 million in FY 2015. (Assuming the rate changes from \$18.32 in FY 2013 to \$18.24 in FY 2014 and to \$18.17 in FY 2015.) For FY 2013, ODODD estimates franchise fee payments for DCs to total \$8.2 million.

R.C. 5168.60

Same as the Executive.

Fiscal effect: Same as the Executive.

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DDDCD1 Lease-Rental Payments

Section: 259.20

Requires ODODD to use GRF appropriation item 320415, Lease-Rental Payments, to meet all payments pursuant to leases and agreements made under state law regarding capital facilities. 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.

Section: 259.20

Same as the Executive.

DDDCD2 Screening and Early Intervention

Section: 259.30

Requires that GRF appropriation item 322420, Screening and Early Intervention, be used for screening and early intervention programs for children with autism selected by the ODODD Director.

Section: 259.30

Same as the Executive.

DDDCD3 Family Support Services Subsidy

Section: 259.40

Permits GRF appropriation item 322451, Family Support Services, to be used for the following purposes:

To provide a subsidy in quarterly installments to county DD boards for family support services provided under section 5126.11 of the Revised Code according to a formula developed by the ODODD Director in consultation with representatives of county DD boards.

Section: 259.40

Same as the Executive.

Same as the Executive.

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<p>To distribute funds to county DD boards for the purpose of addressing economic hardships and to promote efficiency of operations.</p>	<p>Same as the Executive.</p>
<p>DDDCD4 State Subsidy to County DD Boards</p>	
<p>Section: 259.50 Except for the amounts used for the nonfederal share of an ICF bed, requires that GRF appropriation item 322501, County Boards Subsidies, be used for the following purposes: To provide a subsidy to county DD boards, allocated quarterly in accordance with a formula developed by the ODODD Director in consultation with the county DD boards, for early childhood and adult services, service and support administration, and supported living; To provide funding, as determined necessary by the ODODD Director, for residential services, including room and board, and support services that enable individuals with DD to live in the community; and To distribute funds to county DD boards, in an amount and by criteria determined by the ODODD Director in consultation with the boards, to address economic hardships and to promote efficiency of operations. Allows a county DD board, in consultation with the county's family and children first council, to transfer portions of funds received under this section to a flexible funding pool.</p>	<p>Section: 259.50 Same as the Executive. Same as the Executive. Same as the Executive. Same as the Executive. Same as the Executive.</p>

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DDDCD5 County Board Share of Waiver Services

Section: 259.60

Requires the ODODD Director to establish a methodology to be used in FY 2014 and FY 2015 to estimate the quarterly amount each county 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 to provide written notice of the amount owed by each county board for each quarter.

Section: 259.60

Same as the Executive.

DDDCD6 Tax Equity

Sections: 259.70, 751.20

Specifies that GRF appropriation item 322503, Tax Equity, may be used to distribute funds to county DD boards to address economic hardships and promote efficiency of operations. Requires the ODODD Director, in consultation with county DD boards, to determine the amount of funds to distribute for these purposes and the criteria for distributing the funds.

Sections: 259.70, 751.20

Same as the Executive.

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DDDCD20

Medicaid Services

Section: 259.80

Requires that GRF appropriation item 653407, Medicaid Services, be used for the following: (1) to fund home and community-based waiver services defined under 5123.01 of the Revised Code; (2) to implement the requirements of agreements settling consent decrees in Sermak v. Manuel and Martin v. Strickland; (3) ICF services; (4) other programs as identified by the ODODD Director.

Section: 259.80

Same as the Executive.

DDDCD21

Employment First Pilot Program

Sections: 259.90, 751.30

Requires that GRF appropriation item 322508, Employment First Pilot Program, be used to increase employment opportunities for individuals with DD through the Employment First Initiative in accordance with section 5123.022 of the Revised Code.

Requires the ODODD Director in each fiscal year to transfer from GRF appropriation item 322508, Employment First Pilot Program, to the Opportunities for Ohioans with Disabilities Agency (OOD) an amount agreed upon by the ODODD Director and the OOD Executive Director to support the Employment First Pilot Program and requires that the transfer be made via an intrastate transfer voucher.

Requires OOD to use the funds transferred as state matching funds to obtain available federal grant dollars for vocational rehabilitation services, and requires that any federal match dollars received by OOD be used for the pilot program.

Sections: 259.90, 751.30

Same as the Executive.

Same as the Executive, but replaces references to the Opportunities for Ohioans with Disabilities Agency (OOD) with the Rehabilitation Services Commission (RSC) and replaces references to the OOD Executive Director with the RSC Administrator.

Same as the Executive, but replaces references to OOD with RSC.

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Requires the ODODD Director and the OOD Executive Director to enter into an interagency agreement in accordance with section 3304.181 of the Revised Code that will specify the responsibilities of each agency under the pilot program, and specifies that OOD shall retain responsibility for eligibility determination, order of selection, plan approval, plan amendment, and release of vendor payments.

Same as the Executive, but replaces references to OOD with RSC and replaces references to the OOD Executive Director with the RSC Administrator.

Requires that the remainder of GRF appropriation item 322508, Employment First Pilot Program, be used to develop a long term, sustainable system that places individuals with DD in community employment, as defined in section 5126.01 of the Revised Code.

Same as the Executive.

Fiscal effect: Potential gain in federal vocational rehabilitation (VR) dollars to OOD in each fiscal year depending upon the amount that is transferred to OOD for the pilot program. The federal government provides a match to the state of \$3.69 for every \$1 expended for VR services.

Fiscal effect: Same as the Executive, but with references to RSC instead of OOD.

DDDCD22

Employment First Taskforce Fund

Sections: 259.100, 751.31

Requires the OBM Director to establish an appropriation item from the Employment First Taskforce Fund for use by ODODD to support the work of an employment first task force if such a task force is established by the ODODD Director in accordance with section 5123.023 of the Revised Code.

Sections: 259.100, 751.31

Same as the Executive.

Requires, if the task force is established, the ODODD Director to certify to the OBM Director in each fiscal year the appropriation amounts necessary for ODODD to fulfill

Same as the Executive.

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its obligation to support the work of the task force, and appropriates those amounts upon approval by the OBM Director.

DDDCD23 Transfer to Operating and Services Fund

Section: 259.110

Requires the ODODD Director on July 1, 2013, or as soon as possible thereafter, to request the OBM Director to transfer the cash balance in the Home and Community-Based Services Fund (Fund 4K80) to the Operating and Services Fund (Fund 5GE0). Abolishes Fund 4K80 upon completion of the transfer. Requires the OBM Director to cancel any existing encumbrances against SSR Fund 4K80 appropriation item 322604, Medicaid Waiver - State Match, and reestablish them against SSR Fund 5GE0 appropriation item 653606, ICF/IID and Waiver Match.

Section: 259.110

Same as the Executive, but changes the name of appropriation item 653606, ICF/IID and Waiver Match, to ICF/MR and Waiver Match.

DDDCD24 Operating and Services

Section: 259.120

Requires that of the foregoing appropriation item SSR Fund 5GE0 appropriation item 320606, Operating and Services, \$100,000 in each fiscal year be provided to the Ohio Center for Autism and Low Incidence to establish a lifespan autism hub to support families and professionals.

Section: 259.120

Same as the Executive.

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DDDCD25 Targeted Case Management

Section: 259.130

Requires county DD boards to pay the nonfederal portion of targeted case management services to ODODD.

Permits the ODODD Director and the Medicaid Director to enter into an interagency agreement, under which:

(1) ODODD must transfer cash using an intrastate transfer voucher from SSR Fund 5DJ0, the Targeted Case Management Fund, used by ODODD, to GSF Fund 5DL0, the Health Care/Medicaid Support and Recoveries Fund, used by ODM, in amounts that equal the nonfederal portion of the cost of targeted case management services paid by county DD boards.

(2) ODM must pay the total cost of targeted case management claims.

Section: 259.130

Same as the Executive.

Same as the Executive.

(1) Same as the Executive.

(2) Same as the Executive.

DDDCD26 Withholding of Funds Owed the Department

Section: 259.140

Permits ODODD to withhold any amount due to a county DD board if the county DD board does not fully pay any amount owed to ODODD by the due date established by ODODD. Allows the ODODD Director to transfer cash to any other fund used by ODODD in an amount equal to the amount owed to ODODD that the county DD board did not pay. Specifies that transfers under this section must be made using an intrastate transfer voucher.

Section: 259.140

Same as the Executive.

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DDDCD27 Developmental Center Billing for Services

Section: 259.150

Permits a developmental center to provide services to persons with developmental disabilities who live in the community or to providers of services to such persons and authorizes ODODD to develop a methodology for recovering all costs associated with provision of these services.

Section: 259.150

Same as the Executive.

DDDCD28 Transfer of Funds for Developmental Center Pharmacy Programs

Section: 259.160

Requires the ODODD Director to quarterly transfer cash from the Medicaid-Medicare Fund (Fund 3A40), used by ODODD, to the Health Care/Medicaid Support and Recoveries Fund (Fund 5DL0), used by ODM, in an amount equal to the nonfederal share of Medicaid prescription drug claim costs paid for all developmental centers by ODM.

Section: 259.160

Same as the Executive.

DDDCD29 Nonfederal Match for Active Treatment Services

Section: 259.170

Requires that any county funds received by ODODD from county DD boards for active treatment be deposited into the Developmental Disabilities Operating Fund (Fund 4890).

Section: 259.170

Same as the Executive.

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DDDCD30 ODODD Innovative Pilot Projects

Section: 259.180

Permits the ODODD Director to authorize the continuation or implementation of innovative pilot projects that are likely to assist in promoting the objectives of state law governing ODODD and county DD boards.

Requires the ODODD Director, before authorizing a pilot project, to consult with entities interested in the issue of developmental disabilities, including the Ohio Provider Resource Association, the Ohio Association of County Boards of Developmental Disabilities, and the ARC of Ohio.

Specifies that the Director may not authorize a pilot project to be implemented in a manner that would cause the state to be out of compliance with any requirements for a program funded in whole or in part with federal funds.

Section: 259.180

Same as the Executive.

Same as the Executive, but adds the Ohio Health Care Association/Ohio Centers for Intellectual Disabilities to the list of entities to be consulted by Director before authorizing a pilot project.

Same as the Executive.

DDDCD31 Department of Developmental Disabilities' Appropriation Item Structure

Section: 259.190

Allows the OBM Director, upon request of the ODODD Director, to establish new funds, new appropriation items, and appropriations in order to support the transition to a new appropriation item structure in ODODD's budget. Allows the OBM Director, upon request of the ODODD Director, to transfer appropriations between GRF appropriation items, transfer cash between any funds used by ODODD, abolish existing funds used by ODODD, and cancel and reestablish encumbrances. Appropriates any appropriations established by the OBM Director.

Section: 259.190

Same as the Executive, but does not appropriate any appropriations established by the OBM Director and instead, specifies that Controlling Board approval is required before any new funds or appropriation items are established, and before any transfers of appropriations or cash or increases in appropriations are made in accordance with this section

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DDDCD15 FY 2014 Medicaid Rates for ICF Services

Section: 259.200

For FY 2014, requires ODODD to determine modified rates and capped rates for existing ICFs and provides for an existing ICF to be paid a rate that is the average of its modified and capped rates, unless the mean of such rates for all existing ICFs is other than \$282.84, in which case the ICF's rate is to be adjusted by a percentage that equals the percentage by which the mean rate is greater or less than \$282.84.

Requires that portions of GRF appropriation item 653407, Medicaid Services, SSR Fund 5GE0 appropriation item 653606, ICF/IID and Waiver Match, and FED Fund 3A40 appropriation item 653653, ICF/IID, be used to pay the Medicaid payment rates determined in accordance with this section for ICF services provided during FY 2014.

Fiscal effect: None. Generally continues current payment rates.

Section: 259.200

Same as the Executive.

Same as the Executive, but changes the name of appropriation item 653606, ICF/IID and Waiver Match, to ICF/MR and Waiver Match, and changes the name of appropriation item 653653, ICF/IID, to ICF/MR.

Fiscal effect: Same as the Executive.

DDDCD16 FY 2015 Medicaid Rates for ICF Services

Section: 259.210

For FY 2015, requires ODODD to determine modified rates and capped rates for existing ICFs and provides for an existing ICF to be paid a rate that is the average of its modified and capped rates, unless the mean of such rates for all existing ICFs is other than \$282.77, in which case the ICF's rate is to be adjusted by a percentage that equals the percentage by which the mean rate is greater or less than \$282.77.

Section: 259.210

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Requires that portions of GRF appropriation item 653407, Medicaid Services, SSR Fund 5GE0 appropriation item 653606, ICF/IID and Waiver Match, and FED Fund 3A40 appropriation item 653653, ICF/IID, be used to pay the Medicaid payment rates determined in accordance with this section for ICF services provided during FY 2014.

Same as the Executive, but changes the name of appropriation item 653606, ICF/IID and Waiver Match, to ICF/MR and Waiver Match, and changes the name of appropriation item 653653, ICF/IID, to ICF/MR.

Fiscal effect: None. Generally continues current payment rates.

Fiscal effect: Same as the Executive.

DDDCD32

Transfer of Funds for Outlier Services Provided to Pediatric Ventilator-Dependent ICF Residents

Section: 259.220

Section: 259.220

Requires that in each quarter of FY 2015, the ODODD Director certify to the OBM Director the amount needed to pay the nonfederal share of the costs of the Medicaid rate add-on for outlier ICF services.

Same as the Executive.

Requires the OBM Director, on receipt of certification, to transfer appropriations equaling the certified amount from GRF appropriation item 651525, Medicaid/Health Care Services, used by ODM, to GRF appropriation item 653407, Medicaid Services, used by ODODD, and, requires the OBM Director to reduce the appropriation in 651525, Medicaid/Health Care Services, by the corresponding federal share.

Same as the Executive.

Allows the ODODD Director to request the OBM Director to authorize expenditures from the Developmental Center and Residential Facility Services and Support Fund (Fund 3A40) if receipts credited to that fund exceed the amounts appropriated in FED Fund 3A40 appropriation item 653653, ICF/IID, and appropriates those amounts upon approval of the OBM Director.

Same as the Executive, but changes the name of appropriation item 653653, ICF/IID, to ICF/MR.

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Fiscal effect: Potential increase in payments to ICFs and potential offsetting decreases in payments to hospitals, with an estimated net overall decrease in costs.

Fiscal effect: Same as the Executive.

DDDCD14 Evaluation of Medicaid Payment Rate Formula for ICFs

Section: 259.230

Requires ODODD and a workgroup created to assist with a study regarding Medicaid payment rates for ICF services to evaluate revisions to the formula used to determine the rates.

Fiscal effect: None.

Section: 259.230

Same as the Executive.

Fiscal effect: Same as the Executive.

DDDCD18 Nonfederal Share of ICF Services

Section: 259.240

Requires the ODODD Director to pay the nonfederal share of a claim for ICF services using subsidies otherwise allocated to county DD boards if (1) Medicaid covers the services, (2) the services are provided to a Medicaid recipient who is eligible for the services and who does not occupy a bed in the ICF that used to be included in the Medicaid-certified capacity of another ICF certified before June 1, 2003, (3) the services are provided by an ICF whose Medicaid certification was initiated or supported by a county DD board, and (4) the provider has a valid Medicaid provider agreement for the time the services are provided.

Section: 259.240

Same as the Executive.

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DDDCD17 FY 2014 and FY 2015 Medicaid Rates for Certain IO Services

Section: 259.250

Provides for an Individual Options (IO) waiver provider to continue to receive for FY 2014 and FY 2015 at least the higher Medicaid payment rate for routine homemaker/personal care services that the provider received for up to a year during FY 2012 and FY 2013. Requires that portions of GRF appropriation item 653407, Medicaid Services, and FED Fund 3G60 appropriation item 653639, Medicaid Waiver Services, be used to pay the Medicaid payment rates determined in accordance with this section for certain homemaker/personal care services under the IO waiver.

Fiscal effect: Estimated increase in IO waiver payments of \$850,000 (\$314,500 state share) in each fiscal year.

Section: 259.250

Same as the Executive.

Same as the Executive.

Fiscal effect: Same as the Executive.

DDDCD37 Updating Authorizing Statute Citations

Section: 259.260

Specifies that the ODODD Director is not required to amend any rule for the sole purpose of updating the citation in the Ohio Administrative Code to the rule's authorizing statute to reflect that this act renumbers the authorizing statute or relocates it to another Revised Code section and specifies that such citations shall be updated as the Director amends the rules for other purposes.

Fiscal effect: Potential administrative savings from not needing to amend rules.

Section: 259.260

Same as the Executive.

Fiscal effect: Same as the Executive.

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DDDCD38

Reason for the Repeal of R.C. 5111.236

Section: 259.270

Specifies that this act repeals section 5111.236 of the Revised Code in order to carry out the intent of the Governor as indicated in the veto message regarding Am. Sub. H.B. 1 of the 128th General Assembly transmitted to the Clerk of the House of Representatives on July 17, 2009. (The actual veto removed the section from the title and enacting clause of H.B. 1 and an earmark related to the section; however, the actual veto inadvertently showed only division (C) of the section, rather than the entire section, as being vetoed.)

Section: 259.270

Same as the Executive.

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DOHCD22 Direct Care Workers

R.C. 3701.95, 191.061, 5164.83

Requires, not later than October 1, 2014, the ODH Director to establish a direct care worker certification program and authorizes the Director to adopt rules as necessary to implement the program.

Prohibits, on or after October 1, 2015, the ODM Director from making a Medicaid payment to a direct care worker for a direct care service or entering into a Medicaid provider agreement with the worker unless core competencies described in an operating protocol developed by the OHT Executive Director or the Executive Director's designee, in consultation with the ODM Director and the directors of ODA, ODODD, ODMHAS, and the Ohio Department of Health (ODH) are met.

Fiscal effect: Potential administrative costs.

R.C. 3701.95, 191.061, 5164.83

Same as the Executive.

Same as the Executive.

Fiscal effect: Same as the Executive.

Executive

In House Finance and Appropriations

MCDCD44 Rebalancing Long-Term Care

Section: 323.160

Requires ODM, ODA, and ODODD to have, by June 30, 2015 (extended from June 30, 2013), non-institutionally based long-term service used by (1) at least 50% of Medicaid recipients who are age 60 or older and need long-term services and (2) at least 60% of Medicaid recipients who are under age 60 and have cognitive or physical disabilities for which long-term services are needed.

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

Permits the OBM Director, at the request of the Medicaid Director, to authorize additional expenditures of \$10 million from appropriation item 651425, Medicaid Program Support - State, and \$10 million from appropriation item 651624, Medicaid Program Support - Federal, in each fiscal year to administer BIPP. Appropriates any amounts authorized.

Requires any enhanced federal financial participation funds received by the state to be deposited into the GRF. Increases appropriations in appropriation item 651625 by the amount deposited.

Fiscal effect: Savings of \$120 million state share over the biennium.

Section: 323.160

Same as the Executive.

Same as the Executive.

No provision.

No provision.

Fiscal effect: Same as the Executive.