Executive	As Passed by the House	As Passed by the Senate
DDDCD36 County Family and Children First Council Membership		
R.C. ***121.37***	**R.C.** ***121.37***	**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.	Same as the Executive.	Same as the Executive.
Fiscal effect: None.	**Fiscal effect: 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***	**R.C.** ***5123.022, 5123.023, 5126.01, 5126.05, 5126.051, 5126.084***	**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.	Same as the Executive.	Same as the Executive.
Authorizes the ODODD Director to establish an employment first task force.	Same as the Executive.	Same as the Executive.
Requires each county DD board to implement an employment first policy.	Same as the Executive.	Same as the Executive.
No provision.	No provision.	Specifies that prevocational services provided by a county DD board must have a specified duration and specific outcomes sought to be achieved.
Specifies that every individual with a developmental disability is presumed capable of community employment unless proven otherwise through an individual assessment process.	Same as the Executive.	Same as the Executive, but does not provide that an individual could be excepted through an individualized assessment process from the presumption of being capable of community employment.

Executive	As Passed by the House	As Passed by the Senate
Requires each county DD board to establish a list of services that improve community employment outcomes.	Same as the Executive.	No provision.
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.	**Fiscal effect: Same as the Executive.**	**Fiscal effect: Same as the Executive.**

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

R.C. ***5123.0412***	**R.C.** ***5123.0412***	**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.	Same as the Executive.	Same as the Executive.
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.	**Fiscal effect: Same as the Executive.**	**Fiscal effect: Same as the Executive.**

Executive	As Passed by the House	As Passed by the Senate
DDDCD39 ODODD's Administration of Medicaid Coverage of ICF Services		
R.C. *5124.*	**R.C. *5124.***	**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."	Same as the Executive.	Same as the Executive.
No provision.	No provision.	Provides that the contract between ODODD and the Ohio Department of Medicaid (ODM) that provides for ODODD to assume the powers and duties of ODM with regard to the Medicaid program's coverage of ICF services may provide for ODM to perform one or more of ODODD's duties regarding ICFs that undergo a change of operator, close, or cease to participate in Medicaid.
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.	**Fiscal effect: Same as the Executive.**	**Fiscal effect: Same as the Executive.**

Executive	As Passed by the House	As Passed by the Senate
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***	**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, 812.60***
Reorganizes laws governing intermediate care facility (ICF) services.	Same as the Executive.	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.	Same as the Executive.
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.	Same as the Executive.

Executive	As Passed by the House	As Passed by the Senate
DDDCD12 Cost Report for Downsized, Partially Converted, or New ICF		
R.C. ***5124.10, 5124.01, 5124.101, 5124.102, 5124.107, 5124.108, 5124.109, and 5124.522***	**R.C.** ***5124.10, 5124.01, 5124.101, 5124.102, 5124.107, 5124.108, 5124.109, and 5124.522***	**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.	Same as the Executive.	Same as the Executive, but (1) specifies that the provision applies only to ICFs that downsize or partially convert on or after July 1, 2013, and (2) permits an ICF to file the cost report if the ICF reduces its Medicaid-certified capacity by at least 10% or reduces the number of its ICF-certified beds by at least five.
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.	Same as the Executive.	Same as the Executive, but provides for the cost report to cover a period that ends on the last day of the last month of the first three full months of operation as a downsized or partially converted ICF rather than on the first day of the month immediately following the first three full months of such operation.
Provides for the downsized ICF or partially converted ICF to be paid the rate, determined by using the cost report, 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.	Same as the Executive.	Same as the Executive, but (1) does not require that the ICF, for that time period, be paid the rate determined using the cost report and (2) changes the end date for the time period to the last day of the fiscal year that immediately precedes the fiscal year for which the ICF begins to be paid a rate determined using an annual cost report filed under continuing law.
No provision.	No provision.	Permits a new ICF also to file the cost report if its beds are from a downsized ICF and the downsized ICF either has reduced its Medicaid-certified capacity by at least 10% or reduced the number of its ICF-certified beds by at least five.

Executive	As Passed by the House	As Passed by the Senate
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.	**Fiscal effect: Same as the Executive.**	**Fiscal effect: Potentially a higher increase in Medicaid ICF payments relative to the Executive provisions, due to allowing potentially more ICFs to file cost reports and sooner than they otherwise would.**
DDDCD11 ICF Medicaid Rates for Capital Costs		
R.C. ***5124.17, 5124.21, and 5124.28; Section 812.60***	**R.C.** ***5124.17, 5124.21, and 5124.28; Section 812.60***	**R.C.** ***5124.17, 5124.21, 5124.28, and 5124.38; Section 812.60***
Effective July 1, 2014, modifies Medicaid payments for ICF capital costs by:	Same as the Executive.	Same as the Executive.
(1) Halving the efficiency incentive payments to ICFs with more than eight beds,	(1) Same as the Executive.	(1) Same as the Executive, but provides that the efficiency incentive will not be halved if the ICF obtains ODODD's approval to become a downsized ICF and the approval is conditioned on the downsizing being completed by July 1, 2018.
(2) Eliminating nonextensive renovation payments to ICFs with more than eight beds, and	(2) Same as the Executive.	(2) Same as the Executive, but provides that an ICF may continue to receive nonextensive renovation payments on or after July 1, 2014, if ODODD approved the nonextensive renovation before July 1, 2013, or the nonextensive renovation is part of a project that results in the ICF becoming a downsized ICF or partially converted ICF.
(3) Eliminating return on equity payments to all ICFs.	(3) Same as the Executive.	(3) Same as the Executive.
Eliminates ODODD's authority to specify criteria and procedures for prior approval of extensive renovation projects at ICFs, and maintains this authority to nonextensive renovations.	Same as the Executive.	No provision.

Executive	As Passed by the House	As Passed by the Senate
No provision.	No provision.	Permits, rather than requires as under current law, ODODD to increase an existing ICF's Medicaid payment rate for capital costs when Medicaid-certified beds are added to, or replaced at, the ICF.
Fiscal effect: Estimate decrease in ICF payments of about $1.6 million ($600,000 state share) in FY 2015.	**Fiscal effect: Same as the Executive.**	**Fiscal effect: Potentially a smaller decrease in Medicaid ICF payments relative to the Executive provisions, depending on the number of ICFs that obtain approval to become downsized ICFs.**
DDDCD41 ICF Medicaid Rates for Direct Care Costs		
		R.C. ***5124.19, 5124.192; Sections 259.200, 259.210, 605.30, 605.31***
No provision.	No provision.	Revises the law governing the methodology for determining ICF Medicaid rates for direct care costs as follows:
No provision.	No provision.	(1) Uses an ICF's annual average case-mix score for the calendar year immediately preceding the fiscal year for which the rate will be paid to determine an ICF's annual rate rather than a quarterly case-mix score to determine an ICF's quarterly rate.
No provision.	No provision.	(2) Reduces to 45 (from 80) the number of days that an ICF has to submit corrected resident assessment data before ODODD may assign a case-mix score to the ICF for failure to submit the corrected data.
No provision.	No provision.	(3) Amends Sub. H.B. 303 of the 129th General Assembly to require that the average of the following be used in certain calculations made for the purpose of determining an ICF's FY 2014 rate: (a) the ICF's case-mix score determined or assigned for the last quarter of calendar year 2012, (b) the ICF's case-mix score for the first quarter of calendar year

Executive	As Passed by the House	As Passed by the Senate
		2013 determined by using resident assessment data that ODODD, or any entity under contract with ODODD, compiled, and (c) in the case of an ICF that submitted resident assessment data for the first quarter of calendar year 2012, the ICF's case-mix score for that quarter determined by using that data.
No provision.	No provision.	(4) Amends Sub. H.B. 303 of the 129th General Assembly to require ODODD, for the purpose of determining an ICF's FY 2015 rate, to use the ICF's case-mix score for the first quarter of calendar year 2013 determined by using resident assessment data that ODODD, or any entity under contract with ODODD, compiled if the ICF does not submit resident assessment data for that quarter.
DDDCD10 ICF Efficiency Incentives for Indirect Care Costs		
R.C. ***5124.21***	**R.C.** ***5124.21***	**R.C.** ***5124.21, Sections 259.200 and 259.210***
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.	Same as the Executive.	Same as the Executive, but (1) delays, until FY 2016, the reduction in the efficiency incentive that is included in determining the individual Medicaid payment rate for the indirect care costs of an ICF with more than eight beds and (2) exempts an ICF from the reduction if it obtains ODODD's approval to become a downsized ICF and the approval is conditioned on the downsizing being completed by July 1, 2018.
Fiscal effect: Estimated decrease in Medicaid ICF payments of about $1.4 million ($500,000 state share) in FY 2015.	**Fiscal effect: Same as the Executive.**	**Fiscal effect: None in FY 2014-FY 2015 biennium; in FY 2016, potentially less of a decrease than estimated under the executive's provisions (in FY 2015), depending on the number of ICFs that obtain approval to become downsized ICFs.**

Executive	As Passed by the House	As Passed by the Senate
DDDCD19 Medicaid Rate Add-On for Outlier ICF Services		
R.C. ***5124.25, 5124.15, Section 259.220***	**R.C.** ***5124.25, 5124.15, Section 259.220***	**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.	Same as the Executive.	Same as the Executive, but permits ODODD to pay the rate add-on for such services provided on or after the effective date of this provision rather than on or after July 1, 2014.
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.	**Fiscal effect: Same as the Executive.**	**Fiscal effect: Same as the Executive but beginning in FY 2014.**
DDDCD42 Reduction in Number of ICF Beds		
		R.C. ***5124.67, 5124.01, 5124.63, 5124.64, Section 125.11.03***
No provision.	No provision.	Requires ODODD to strive to achieve, not later than July 1, 2018, the following statewide reductions in ICF beds:
No provision.	No provision.	(1) At least 500 and not more than 600 beds in ICFs that, before becoming downsized ICFs, have 16 or more beds.
No provision.	No provision.	(2) At least 500 and not more than 600 beds in ICFs with any number of beds that convert some or all of their beds from providing ICF services to providing home and community-based services under ODODD-administered Medicaid waiver programs.

Executive	As Passed by the House	As Passed by the Senate
No provision.	No provision.	Requires ODODD, in its efforts to achieve the ICF bed reductions, to collaborate with the Ohio Association of County Boards Serving People with Developmental Disabilities, the Ohio Provider Resource Association, the Ohio Centers for Intellectual Disabilities formed by the Ohio Health Care Association, and the Values and Faith Alliance.
No provision.	No provision.	Increases to 600 (from 500) (1) the number of Medicaid waiver slots for which the Medicaid Director may seek federal approval as part of continuing law regarding ICFs that convert to providing Medicaid waiver services and (2) the number of ICF beds that may be so converted.
No provision.	No provision.	Revises the bill's definition of "partially converted ICF" to include an ICF that converts some, but not all, of its beds to providing services under the Individual Options Medicaid waiver program after the provider acquires the ICF through a request for proposals that the ODODD Director issues after the previous provider's license for the ICF was revoked or surrendered. **Fiscal effect: Potential decrease in costs for Medicaid payments to ICFs with an increase in costs for Medicaid payments for home and community-based waiver services with an overall net decrease in costs. The goals expressed in this section are in line with current policies and plans to reduce ICF beds.**

Executive	As Passed by the House	As Passed by the Senate
DDDCD44 **Terminology Related to Federal Inflation Data**		
		R.C. ***5124.106, 5124.17, 5124.19, 5124.21***
No provision.	No provision.	Updates, in the law governing Medicaid payments for ICF services, terminology related to the Consumer Price Index and Employment Cost Index published by the U.S. Bureau of Labor Statistics. **Fiscal effect: None.**
DDDCD43 **Adjustments of New ICFs Initial Medicaid Rates**		
		R.C. ***5124.151***
No provision.	No provision.	Eliminates a requirement under current law that ODODD adjust a new ICF's initial Medicaid payment rate following the ICF's submission of the Medicaid cost report that is due not later than 90 days after the end of the ICF's first three full calendar months of operation.
DDDCD9 **Medicaid Rates for Low Resource Utilization Residents**		
R.C. ***5124.152, 5124.01***	**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.**	Same as the Executive. **Fiscal effect: Same as the Executive.**	No provision.

Executive	As Passed by the House	As Passed by the Senate
DDDCD40 **County Board of Developmental Disabilities Member Terms**		
	R.C. ***5126.026***	**R.C.** ***5126.026***
No provision.	Notwithstands 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.	Same as the House.
	Fiscal effect: None.	**Fiscal effect: Same as the House.**
DDDCD45 **Decision-Making by Individuals with Developmental Disabilities**		
		R.C. ***5126.043***
No provision.	No provision.	Provides that the authority of an individual with mental retardation or another developmental disability, other than such an individual for whom a guardian has been appointed, to make decisions regarding the receipt of services or participation in programs applies to decisions regarding ICF services.
		Fiscal effect: None.
DDDCD35 **Regional Council and County Board of Developmental Disabilities Annual Cost Report**		
R.C. ***5126.131***	**R.C.** ***5126.131***	**R.C.** ***5126.131***
Requires each regional council and county DD board to file with ODODD a cost report on its expenditures and income.	Same as the Executive.	Same as the Executive.
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.	Same as the Executive.	Same as the Executive.

Executive	As Passed by the House	As Passed by the Senate
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.	Same as the Executive.	Same as the Executive.
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.	**Fiscal effect: Same as the Executive.**	**Fiscal effect: Same as the Executive.**
DDDCD13 ICF Franchise Permit Fees		
R.C. ***5168.60***	**R.C.** ***5168.60***	**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.	Same as the Executive.	Same as the Executive.
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.	**Fiscal effect: Same as the Executive.**	**Fiscal effect: Same as the Executive.**

Executive	As Passed by the House	As Passed by the Senate
DDDCD1 Lease-Rental Payments		
Section: ***259.20***	**Section:** ***259.20***	**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.	Same as the Executive.	Same as the Executive.
DDDCD2 Screening and Early Intervention		
Section: ***259.30***	**Section:** ***259.30***	**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.	Same as the Executive.	Same as the Executive.
DDDCD3 Family Support Services Subsidy		
Section: ***259.40***	**Section:** ***259.40***	**Section:** ***259.40***
Permits GRF appropriation item 322451, Family Support Services, to be used for the following purposes:	Same as the Executive.	Same as the Executive.
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.	Same as the Executive.	Same as the Executive.

Executive	As Passed by the House	As Passed by the Senate
To distribute funds to county DD boards for the purpose of addressing economic hardships and to promote efficiency of operations.	Same as the Executive.	Same as the Executive.
DDDCD4 State Subsidy to County DD Boards		
Section: ***259.50***	**Section:** ***259.50***	**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:	Same as the Executive.	Same as the Executive.
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;	Same as the Executive.	Same as the Executive.
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	Same as the Executive.	Same as the Executive.
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.	Same as the Executive.	Same as the Executive.
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.	Same as the Executive.	Same as the Executive.

Executive	As Passed by the House	As Passed by the Senate
DDDCD5 County Board Share of Waiver Services		
Section: ***259.60***	**Section:** ***259.60***	**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.	Same as the Executive.	Same as the Executive.
DDDCD6 Tax Equity		
Sections: ***259.70, 751.20***	**Sections:** ***259.70, 751.20***	**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.	Same as the Executive.	Same as the Executive.

Executive	As Passed by the House	As Passed by the Senate
DDDCD20 Medicaid Services		
Section: ***259.80***	**Section:** ***259.80***	**Section:** ***259.80***
Requires that GRF appropriation item 653407, Medicaid Services, be used for the following: (1) to fund home and community-based services under ODODD-administered Medicaid waivers; (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.	Same as the Executive.	Same as the Executive.
DDDCD21 Employment First Pilot Program		
Sections: ***259.90, 751.30***	**Sections:** ***259.90, 751.30***	**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 existing Employment First Initiative.	Same as the Executive.	Same as the Executive.
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.	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.
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.	Same as the Executive, but replaces references to OOD with RSC.	Same as the Executive.

Executive	As Passed by the House	As Passed by the Senate
Requires the ODODD Director and the OOD Executive Director to enter into an interagency agreement that will specify the responsibilities of each agency under the pilot program, and specifies that OOD must 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.	Same as the Executive.
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.	Same as the Executive.	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.**	**Fiscal effect: Same as the Executive.**

DDDCD22 Employment First Taskforce Fund

Sections: ***259.100, 751.31***	**Sections:** ***259.100, 751.31***	**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.	Same as the Executive.	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 its obligation to support the work of the task force, and appropriates those amounts upon approval by the OBM	Same as the Executive.	Same as the Executive.

Executive	As Passed by the House	As Passed by the Senate
Director.		
DDDCD23 Transfer to Operating and Services Fund		
Section: ***259.110***	**Section:** ***259.110***	**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.	Same as the Executive, but changes the name of appropriation item 653606, ICF/IID and Waiver Match, to ICF/MR and Waiver Match.	Same as the Executive.
DDDCD24 Operating and Services		
Section: ***259.120***	**Section:** ***259.120***	**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.	Same as the Executive.	Same as the Executive.

Executive	As Passed by the House	As Passed by the Senate
DDDCD25 Targeted Case Management		
Section: ***259.130***	**Section:** ***259.130***	**Section:** ***259.130***
Requires county DD boards to pay the nonfederal portion of targeted case management services to ODODD.	Same as the Executive.	Same as the Executive.
Permits the ODODD Director and the Medicaid Director to enter into an interagency agreement, under which:	Same as the Executive.	Same as the Executive.
(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.	(1) Same as the Executive.	(1) Same as the Executive.
(2) ODM must pay the total cost of targeted case management claims.	(2) Same as the Executive.	(2) Same as the Executive.
DDDCD26 Withholding of Funds Owed the Department		
Section: ***259.140***	**Section:** ***259.140***	**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.	Same as the Executive.	Same as the Executive.

Executive	As Passed by the House	As Passed by the Senate
DDDCD27 Developmental Center Billing for Services		
Section: ***259.150***	**Section:** ***259.150***	**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.	Same as the Executive.	Same as the Executive.
DDDCD28 Transfer of Funds for Developmental Center Pharmacy Programs		
Section: ***259.160***	**Section:** ***259.160***	**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.	Same as the Executive.	Same as the Executive.
DDDCD29 Nonfederal Match for Active Treatment Services		
Section: ***259.170***	**Section:** ***259.170***	**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).	Same as the Executive.	Same as the Executive.

Executive	As Passed by the House	As Passed by the Senate
DDDCD30 ODODD Innovative Pilot Projects		
Section: ***259.180***	**Section:** ***259.180***	**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.	Same as the Executive.	Same as the Executive.
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.	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 House, but adds the Values and Faith Alliance to the list of entities to be consulted by the Director before authorizing a pilot project.
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.	Same as the Executive.	Same as the Executive.
DDDCD31 Department of Developmental Disabilities' Appropriation Item Structure		
Section: ***259.190***	**Section:** ***259.190***	**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.	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	Same as the House.

Executive	As Passed by the House	As Passed by the Senate
DDDCD15 FY 2014 Medicaid Rates for ICF Services		
Section: ***259.200***	**Section:** ***259.200***	**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.	Same as the Executive.	Same as the Executive, but specifies that ICFs' FY 2014 rates are to be, subject to certain limitations, the amounts determined using the modifications rather than the average of the modified rates and specified capped amounts.
Establishes the inflation adjustment to be used in determining existing ICF rates at 1.0123.	Same as the Executive.	Same as the Executive, but increases the inflation adjustment to 1.014.
Establishes the maximum costs per case-mix units that may be used in determining existing ICF rates for direct care costs at $108.21 for ICFs with more than eight beds and at $102.21 for ICFs with eight or fewer beds.	Same as the Executive.	Same as the Executive, but increases the maximum costs per case-mix units to $123.05 (from $108.21) for ICFs with more than eight beds and to $117.22 (from $102.21) for ICFs with eight or fewer beds.
No provision.	No provision.	Requires ODODD to establish separate modified rates for new ICFs that obtain Medicaid provider agreements during FY 2014.
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.	Same as the Executive.

Executive	As Passed by the House	As Passed by the Senate
Fiscal effect: None. Generally continues current payment rates.	**Fiscal effect: Same as the Executive.**	**Fiscal effect: According to ODODD, in FY 2014, certain ICFs could receive more or less in Medicaid payments relative to the Executive provisions, but the estimated aggregate Medicaid payments for ICF services would remain the same.**
DDDCD16 FY 2015 Medicaid Rates for ICF Services		
Section: ***259.210***	**Section:** ***259.210***	**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.	Same as the Executive.	Same as the Executive, but specifies that ICFs' FY 2015 are rates to be, subject to certain limitations, the amounts determined using the modifications rather than the average of the modified rates and specified capped amounts.
Establishes the inflation adjustment to be used in determining existing ICF rates at 1.0123.	Same as the Executive.	Same as the Executive, but increases the inflation adjustment to 1.014.
Establishes the maximum costs per case-mix units that may be used in determining existing ICF rates for direct care costs at $108.21 for ICFs with more than eight beds and at $102.21 for ICFs with eight or fewer beds.	Same as the Executive.	Same as the Executive, but increases the maximum costs per case-mix units to $114.37 (from $108.21) for ICFs with more than eight beds and to $109.09 (from $102.21) for ICFs with eight or fewer beds, or different amounts to be specified by a future amendment to this provision.
No provision.	No provision.	Requires ODODD to establish separate modified rates for new ICFs that obtain Medicaid provider agreements during FY 2015.
No provision.	No provision.	Requires the ODODD Director, in consultation with the Ohio Provider Resource Association, Values and Faith Alliance, Ohio Association of County Boards of Developmental

Executive	As Passed by the House	As Passed by the Senate
		Disabilities, and Ohio Health Care Association/Ohio Centers for Intellectual Disabilities, to study (1) establishing a new grouper methodology to be used when determining ICFs' case-mix scores for FY 2015, (2) whether the amounts set as the maximum costs per case-mix units that may be used in determining FY 2015 direct care rates will avoid or minimize rate reductions, (3) specifying additional diagnoses and special care needs that individuals must have to meet criteria for special rates for outlier services, and (4) sources of funding for, or mechanisms to ensure the budget neutrality of, the additional diagnoses and special care needs.
No provision.	No provision.	Provides for a new grouper methodology to be used when determining ICF case-mix scores.
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.	Same as the Executive.
Fiscal effect: None. Generally continues current payment rates.	**Fiscal effect: Same as the Executive.**	**Fiscal effect: According to ODODD, in FY 2015, certain ICFs could receive more or less in Medicaid payments relative to the Executive provisions, but the estimated aggregate Medicaid payments for ICF services would remain the same.**

Executive	As Passed by the House	As Passed by the Senate
DDDCD32 Transfer of Funds for Outlier Services Provided to Pediatric Ventilator-Dependent ICF Residents		
Section: ***259.220***	**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.	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.	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.	Same as the Executive.
Fiscal effect: Potential increase in Medicaid ICF payments and potential offsetting decreases in payments to hospitals, with an estimated net overall decrease in costs.	**Fiscal effect: Same as the Executive.**	**Fiscal effect: Same as the Executive.**

Executive	As Passed by the House	As Passed by the Senate
DDDCD14 Evaluation of Medicaid Payment Rate Formula for ICFs		
Section: ***259.230***	**Section:** ***259.230***	**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.	Same as the Executive.	Same as the Executive, but requires ODODD and the workgroup to also consider the impact that exception reviews have on ICF case-mix scores.
Fiscal effect: None.	**Fiscal effect: Same as the Executive.**	**Fiscal effect: Same as the Executive.**
DDDCD18 Nonfederal Share of ICF Services		
Section: ***259.240***	**Section:** ***259.240***	**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.	Same as the Executive.	Same as the Executive.

Executive	As Passed by the House	As Passed by the Senate
DDDCD17 FY 2014 and FY 2015 Medicaid Rates for Certain IO Services		
Section: ***259.250***	**Section:** ***259.250***	**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.	Same as the Executive.	Same as the Executive.
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.	Same as the Executive.	Same as the Executive.
Fiscal effect: Estimated increase in IO waiver payments of $850,000 ($314,500 state share) in each fiscal year.	**Fiscal effect: Same as the Executive.**	**Fiscal effect: Same as the Executive.**
DDDCD37 Updating Authorizing Statute Citations		
Section: ***259.260***	**Section:** ***259.260***	**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 the bill renumbers the authorizing statute or relocates it to another Revised Code section and specifies that such citations are to be updated as the Director amends the rules for other purposes.	Same as the Executive.	Same as the Executive.
Fiscal effect: Potential administrative savings from not needing to amend rules.	**Fiscal effect: Same as the Executive.**	**Fiscal effect: Same as the Executive.**

Executive	As Passed by the House	As Passed by the Senate
DDDCD38 Reason for the Repeal of R.C. 5111.236		
Section: ***259.270***	**Section:** ***259.270***	**Section:** ***259.270***
Specifies that this act repeals R.C. 5111.236 to carry out the intent of the Governor as indicated in the veto message regarding H.B. 1 of the 128th General Assembly transmitted to the Clerk of the House of Representatives on July 17, 2009.	Same as the Executive.	Same as the Executive.

Executive	As Passed by the House	As Passed by the Senate
DOHCD22 Direct Care Workers		
R.C. ***3701.95, 191.061, 5164.83***	**R.C.** ***3701.95, 191.061, 5164.83***	**Section:** ***323.234***
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.	Same as the Executive.	No provision.
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 ODH are met.	Same as the Executive.	No provision.
No provision.	No provision.	Creates the Direct Care Worker Advisory Workgroup, with the OHT Executive Director or the Executive Director's designee as chairperson, and specifies the membership and duties of the Workgroup. Requires ODH and ODM to provide staff and other support services.
No provision.	No provision.	Requires the Workgroup, not later than December 31, 2013, to submit a report to the General Assembly describing its findings and recommendations.
No provision.	No provision.	Specifies that it is the intent of the General Assembly to enact legislation in the future regarding certification of direct care workers and Medicaid payments for direct care services provided by those workers. Specifies that the legislation is intended to (1) require the ODH Director to establish, not later than October 1, 2014, a direct care worker certification program that applies to the workers designated by the

Executive	As Passed by the House	As Passed by the Senate
		Workgroup and (2) prohibit ODM, beginning October 1, 2015, from allowing a direct or indirect payment to be made for direct care services provided by a direct care worker to whom the certification program applies unless the worker is appropriately certified under that program.
Fiscal effect: Potential administrative costs.	**Fiscal effect: Same as the Executive.**	**Fiscal effect: Potential administrative costs for ODH and ODM associated with the Workgroup. Potential impact in the future depending on legislation.**

Executive	As Passed by the House	As Passed by the Senate
MCDCD44 Rebalancing Long-Term Care		
Section: ***323.160***	**Section:** ***323.160***	**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.	Same as the Executive.	Same as the Executive.
Permits ODM to apply to participate in the federal Balancing Incentive Payments Program.	Same as the Executive.	Same as the Executive.
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.	No provision.	No provision.
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.	No provision.	No provision.
Fiscal effect: Savings of $120 million state share over the biennium. The Medicaid appropriations have been adjusted to account for these savings.	**Fiscal effect: Same as the Executive.**	**Fiscal effect: Same as the Executive.**

Executive	As Passed by the House	As Passed by the Senate
DNRCD34 Kamp Dovetail Project		
		Sections: ***630.11, 630.12***
No provision.	No provision.	Amends Sub. S.B. 312 of the 129th General Assembly to specify that the amount reappropriated for Fund 7035 appropriation item C725S5, Kamp Dovetail Project, used by the Department of Natural Resources, is the unencumbered and unallotted balance remaining as of June 30, 2013, in Fund 7033 appropriation item C59020, Kamp Dovetail Project, used by the Department of Developmental Disabilities.