

Executive

As Passed by the House

AGECD11 Long-Term Care Consumer Guide fee increase

R.C. 173.48

Increases, beginning July 1, 2016, the fee charged to long-term care facilities that are residential facilities for the Ohio Long-Term Care Consumer Guide from \$300 to \$350.

**Fiscal effect: Potential gain of \$30,000 in fee revenue deposited into Fund 5K90 in FY 2017.**

R.C. 173.48

Same as the Executive.

**Fiscal effect: Same as the Executive.**

AGECD14 Eligibility and length of participation in state-funded components of PASSPORT and Assisted Living

R.C. 173.522, 173.543

Changes the period for which an applicant may participate in the state-funded components of the PASSPORT and Assisted Living programs from 90 days to a period to be specified in rules.

Repeals a provision that grants eligibility for the state-funded component of the PASSPORT program to an individual no longer eligible for the Medicaid-funded component of PASSPORT.

**Fiscal effect: Potential decrease in nursing facility costs paid for by Medicaid if participants are allowed to stay on the state-funded components for a longer period of time while eligibility is determined.**

R.C. 173.522, 173.543

Same as the Executive.

Same as the Executive.

**Fiscal effect: Same as the Executive.**

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AGECD12      Technical correction regarding the state-funded component of PASSPORT

R.C.      173.523

Makes a technical correction to a statutory cross-reference in the laws governing the state-funded component of the PASSPORT program.

**Fiscal effect: None.**

R.C.      173.523

Same as the Executive.

**Fiscal effect: Same as the Executive.**

AGECD16      PASSPORT Program coverage of certain nurse services

No provision.

R.C.      173.525

Requires that the PASSPORT Program cover consultation and assessment services provided by registered nurses and that the payment rate for the services not be less than the payment rate for the services under the Ohio Home Care Waiver Program.

**Fiscal effect: Increase in costs of approximately \$10.6 million (\$4.2 million state share) annually, which would be paid out of GRF line item 651525, Medicaid/Health Care Services, in the Department of Medicaid. This estimate includes an adjustment for MyCare Ohio, as well as for PASSPORT, since MyCare Ohio is required to provide services that are identical to services available under other waiver programs.**

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AGECD13      Technical correction regarding the state-funded component of Assisted Living

R.C.      *173.545, 173.544*

Makes a technical correction to a statutory cross-reference in the laws governing the state-funded component of the Assisted Living program.

**Fiscal effect: None.**

R.C.      *173.545, 173.544*

Same as the Executive.

**Fiscal effect: Same as the Executive.**

AGECD17      Medicaid-funded component of Assisted Living Program

No provision.

R.C.      *173.548*

Permits an individual enrolled in the Medicaid-funded component of the Assisted Living Program to choose a single occupancy room or, subject to an approval process to be established in rules, a multiple occupancy room.

**Fiscal effect: Potential minimal increase to establish rules.**

AGECD1      Long-term care

**Section: 209.20**

Allows the Ohio Department of Medicaid (ODM), pursuant to an interagency agreement, to designate the Ohio Department of Aging (ODA) to perform level of care assessments. Requires ODA to provide long-term care consultations to assist individuals in planning for their long-term health care needs.

Requires ODA to administer PASSPORT, Assisted Living, and PACE as delegated by ODM in an interagency agreement.

**Section: 209.20**

Same as the Executive.

Same as the Executive.

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Allows GRF appropriation item 656423, Long-Term Care Program Support - State, and appropriation item 656623, Long-Term Care Program Support - Federal, to be used to support ODA's administrative costs associated with operating the PASSPORT, Assisted Living, and PACE programs.

Same as the Executive.

AGECD2 Performance-based reimbursement

Section: 209.20

Allows ODA to design and utilize a payment method for PASSPORT administrative agency (PAA) operations that includes a pay-for-performance incentive component that is earned by a PAA when defined consumer and policy outcomes are achieved.

**Fiscal effect: Potential impact on earnings received by PAAs depending on whether or not the pay-for-performance component is established and whether or not outcomes are achieved.**

Section: 209.20

Same as the Executive.

**Fiscal effect: Same as the Executive.**

AGECD3 Long-Term Care Ombudsman

Section: 209.30

Allows the State Ombudsman to explore the design of a payment method for the Ombudsman Program that includes a pay-for-performance incentive component that is earned by designated regional long-term care ombudsman programs.

Section: 209.30

Same as the Executive.

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**Fiscal effect: Potential impact on earnings received by regional ombudsman programs depending whether or not the pay-for-performance component is established and whether or not outcomes are achieved.**

**Fiscal effect: Same as the Executive.**

**AGECD4 MyCare Ohio**

**Section: 209.30**

Allows appropriation items 490410, Long-Term Care Ombudsman, 490618, Federal Aging Grants, 490612, Federal Independence Services, 490609, Regional Long-Term Care Ombudsman Program, and 490620, Ombudsman Support, to be used by the Office of the State Long-Term Care Ombudsman to provide ombudsman program activities to consumers participating in MyCare Ohio.

**Section: 209.30**

Same as the Executive.

**AGECD5 Senior Community Services**

**Section: 209.30**

Requires GRF appropriation item 490411, Senior Community Services, to be used for services designated by ODA and further requires that service priority be given to low-income, frail, and cognitively impaired persons age 60 and over. Provides that cost sharing, including sliding fee payments, be promoted when possible.

No provision.

**Section: 209.30**

Same as the Executive, but specifies that \$7,060,844 in each fiscal year be used for this purpose.

Requires that \$250,000 in each fiscal year in GRF line item 490411, Senior Community Services, be allocated to the Warrensville Senior Center.

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**AGECD6 National Senior Service Corps**

**Section: 209.30**

Requires GRF appropriation item 490506, National Senior Service Corps, to be used to fund grants for three Corporation for National and Community Service/Senior Corps programs: (1) the Senior Companion Program; (2) the Retired Senior Volunteer Program; and (3) the Foster Grandparents Program.

Requires grant recipients to use funds to support priorities established by ODA and the Ohio State Office of the Corporation for National and Community Service and requires the expenditure of funds to be in accordance with Senior Corps policies and procedures.

Specifies that neither ODA nor any area agency on aging that is involved in the distribution of these funds to lower-tiered grant recipients may use funds to cover administrative costs.

**Section: 209.30**

Same as the Executive.

Same as the Executive.

Same as the Executive.

**AGECD7 Transfer of resident protection funds**

**Section: 209.30**

Allows the Director of the Office of Budget and Management (OBM), in each fiscal year, to transfer up to \$1.25 million in cash from the Resident Protection Fund (Fund 4E30), used by ODM, to the Ombudsman Support Fund (Fund 5BA0), used by ODA.

Allows ODA and the Office of the State Long-Term Care Ombudsman to use moneys in the Ombudsman Support

**Section: 209.30**

Same as the Executive.

Same as the Executive.

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Fund (Fund 5BA0) to implement a nursing home quality initiative as specified in section 173.60 of the Revised Code.

**AGECD8                      Transfer of appropriations - Federal Independence Services and Federal Aging Grants**

**Section: 209.30**

Specifies that at the request of the ODA Director, the OBM Director may transfer appropriation between appropriation item 490612, Federal Independence Services, and appropriation item 490618, Federal Aging Grants. Limits the amounts transferred to no more than 30% of the appropriation from which the transfer was made. Requires such transfers be reported at the next scheduled Controlling Board meeting.

**Section: 209.30**

Same as the Executive.

**AGECD9                      Updating authorizing statute citations**

**Section: 209.40**

Specifies that an "authorizing statute" is a Revised Code section or provision that is cited in the Ohio Administrative Code as the statute that authorizes the adoption of a rule. Specifies that the ODA 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. Requires such citations to be updated as the Director amends the rules for other purposes.

**Section: 209.40**

Same as the Executive.

**Fiscal effect: None.**

**Fiscal effect: Same as the Executive.**

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AGECD10      Board of Executives of Long-Term Services and Supports

Section: 209.50

Allows the Board of Executives of Long-Term Services and Supports to develop and conduct, or contract with a government or private entity to develop and conduct, opportunities for education, training, and credentialing of nursing home administrators, including persons interested in becoming licensed as nursing home administrators, and others in leadership positions who practice in long-term services and supports settings or who direct the practices of others in those settings.

Requires that all fees paid to the Board by an applicant for education or training be used for the administration of the training program and allows fees to be used to support the education and training programs by paying for items such as instructor fees, venues where the education or training is conducted, books, materials and printing.

Allows training or education programs to be conducted in person or through electronic media.

Specifies that if the Board contracts with a government or private entity to administer the programs, the contract may authorize the entity to pay any or all costs associated with the programs and to collect and keep any fee an applicant for these programs pays to the education or training program.

**Fiscal effect: Potential increase in administrative costs and potential gain in fee revenue if the Board chooses to develop and conduct the training or education programs.**

Section: 209.50

Same as the Executive.

Same as the Executive.

Same as the Executive.

Same as the Executive.

**Fiscal effect: Same as the Executive.**

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**MCDCD36            Home care services contracts**

**R.C.            121.36, (repealed)**

Repeals a provision of current law in which the Departments of Aging, Developmental Disabilities, Job and Family Services, and Health must require a home care service provider to have a system for monitoring the delivery of services by the provider's employees for contracts paid for with public funds.

**Fiscal effect: No direct fiscal impact.**

**R.C.            121.36**

Replaces the Executive provision with a provision that restores current law and adds ODM to the list of departments required to include a monitoring system for home care services contracts.

**Fiscal effect: None.**

**MCDCD38            Assistive personnel**

**R.C.            5166.41, 173.57-173.579, 3721.011, 5123.42-5123.451, 5166.40-5166.55**

Grants certified assistive personnel who provide services to individuals enrolled in specified Medicaid programs administered by the Ohio Department of Aging (ODA) or ODM the authority to administer prescribed medications, perform specified health-related activities, and perform tube feedings.

Requires ODA and ODM to investigate complaints regarding the performance of those activities by assistive personnel.

Requires ODA and ODM to develop courses that train the assistive personnel to engage in those activities and that train registered nurses to provide the training courses to the personnel.

No provision.

No provision.

No provision.

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Requires ODA and ODM to certify personnel and registered nurses who successfully complete the applicable training and satisfy other requirements.

No provision.

Requires ODA and ODM to establish and maintain a registry of all personnel and registered nurses who have been certified by ODA or ODM, respectively.

No provision.

Permits ODA, ODM, the Department of Health, and the Department of Developmental Disabilities to enter into an interagency agreement to establish a unified system of training and certifying assistive personnel, MR/DD personnel, and registered nurses.

No provision.

**Fiscal effect: Potential minimal increase in administrative costs.**

MCD48

Medicaid rates for home health aide services

**Sections: 327.250, 327.260**

No provision.

Requires the Medicaid rate for home health aide services, other than those provided by an independent provider, during the period beginning July 1, 2015, and ending June 30, 2017, be at least 10% higher than the rate in effect on June 30, 2015. Applies the increase to any Medicaid-covered home health aid services.

No provision.

Earmarks \$29.0 million in each fiscal year in GRF line item 651525, Medicaid/Health Care Services, to increase the payment rate paid for home health aide services.