

Executive

DDDCD34 Residential facility licensure

R.C. 5123.19, 5123.196, 5123.198

Repeals provisions related to the licensure of residential facilities by the Ohio Department of Developmental Disabilities (ODODD) that (1) require the establishment of procedures for public notice of certain actions taken by the ODODD Director, (2) require the adoption of rules establishing certification procedures for licensees and management contractors, classification of types of residential facilities, and personnel training, (3) require that a survey be performed when multiple facilities owned or operated by the same person or entity are out of compliance with the law, and (4) require ODODD to establish procedures to notify interested parties regarding facilities that are closing or losing their license.

Permits the Director to reduce the maximum capacity of a residential facility that has operated at less than the maximum capacity for more than 12 months.

Prohibits a person or government entity (and related parties) whose application for a license has been denied from applying for a license within five (instead of one) year of the denial.

Permits the Director to assign the responsibility to conduct surveys and inspections to the Ohio Department of Health (ODH), in addition to the county boards of developmental disabilities (DD).

Authorizes the renewal of interim licenses for 180 (rather than 150) days.

Requires a licensee to transfer records to the new licensee or management contractor when the identity of the licensee or contractor significantly changes.

Fiscal effect: Decrease in costs related to the licensure of residential facilities; potential increase in costs to ODH to conduct inspections.

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DDDCD32 **Consent for medical treatment****R.C. 5123.86**

Authorizes a guardian (or court in the absence of a guardian) of a resident of an institution for the mentally retarded who is physically or mentally unable to receive information or who has been adjudicated incompetent to receive information on and to consent to an experimental procedure on the resident's behalf.

Eliminates provisions requiring informed consent to be given before a resident of an institution for the mentally retarded receives convulsive therapy, major aversive interventions, or unusual or hazardous treatment procedures.

Fiscal effect: None. According to ODODD staff, convulsive therapy, major aversive interventions, and unusual or hazardous treatment procedures are no longer used in these institutions.

DDDCD31 **Incentives to convert ICF/IID beds****R.C. 5123.376**

Permits the ODODD Director to change the terms of an agreement entered into with a county board of developmental disabilities or private, nonprofit agency regarding the construction, acquisition, or renovation of a residential facility if certain conditions are met including a condition that the residential facility have converted at least 50% of its Medicaid-certified beds from providing intermediate care facility for individuals with intellectual disabilities (ICF/IID) services to providing home and community-based services.

Permits the Director to forgive the outstanding balance a county board or nonprofit, private agency otherwise owes under an agreement regarding the construction, acquisition, or renovation of a residential facility if certain conditions are met including a condition that the residential facility have converted all of its Medicaid-certified beds from providing ICF/IID services to providing home and community-based services.

Fiscal effect: None.

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DDDCD29 Supported living certificates

R.C. 5123.1610, 5123.033, 5123.16, 5123.161-5123.164, 5123.166, 5123.167, 5123.169, 5123.1611

Provides that a person or government entity's supported living certificate is suspended or revoked automatically or is to be denied renewal if the person or government entity's Medicaid provider agreement to provide supported living is suspended, revoked, or denied revalidation.

Increases to five years (from one year) the period during which a person or government entity is prohibited from applying for a supported living certificate following an adjudication order issued by the ODODD Director refusing to issue or renew a supported living certificate.

Prohibits a person or government entity from applying for a supported living certificate until five years after the ODODD Director revokes or refuses to renew the person or government entity's certificate because of a Medicaid provider agreement that is revoked or refused revalidation.

Fiscal effect: ODODD would experience a delay in revenue related to supported living certificate fees.

DDDCD40 Medicaid payment to an ICF/IID for day of discharge

R.C. 5124.33

Provides that the prohibition against making a Medicaid payment to an ICF/IID for the day a Medicaid recipient is discharged does not apply if the recipient is discharged because all of the beds in the ICF/IID are converted to providing home and community-based services.

Fiscal effect: Potential minimal increase in Medicaid payments to ICFs.

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DDDCD41 **Adjudication regarding converted ICFs/IID Medicaid provider agreement****R.C.** **5124.60, 5164.38**

Provides that the Medicaid Director is not required to conduct an adjudication when terminating an ICF/IID's Medicaid provider agreement as a result of the ICF/IID converting all of its beds to providing home and community-based services or when amending an ICF/IID's Medicaid provider agreement to reflect the ICF/IID's reduced Medicaid-certified capacity resulting from the ICF/IID converting some but not all of its beds.

Fiscal effect: Potential minimal decrease in administrative costs for the Ohio Department of Medicaid (ODM).

DDDCD42 **Adjudication regarding converted ICFs/IID Medicaid provider agreement****R.C.** **5124.61, 5164.38**

Provides, in the case of an ICF/IID that a person acquired through a request for proposals process after the previous owner's license was surrendered or revoked, that the Medicaid Director is not required to conduct an adjudication when (1) terminating the ICF/IID's Medicaid provider agreement as a result of the ICF/IID converting all of its beds to providing home and community-based services or (2) amending the ICF/IID's Medicaid provider agreement to reflect the ICF/IID's reduced Medicaid-certified capacity resulting from the ICF/IID converting some but not all of its beds.

Fiscal effect: Potential minimal decrease in administrative costs for ODM.

DDDCD35 **Admissions to ICFs/IID with more than eight beds****R.C.** **5124.68**

Prohibits, with certain exceptions, an ICF/IID with more than eight beds from admitting an individual as a resident unless (1) a county board of developmental disabilities receives an admission application for the individual, (2) the county board has provided the individual and ODODD a copy of an evaluation the county board is required to conduct of the individual, and (3) ODODD determines that the individual chooses the ICF/IID after being fully informed of all available alternatives.

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Fiscal effect: None.

 DDDCD36 Enrolling ICF/IID residents in ODODD-administered Medicaid waiver programs
R.C. 5124.69, 5126.0510

Requires ODODD to develop and make available to all ICFs/IID a written pamphlet that describes the services that Medicaid covers under the ICF/IID benefit and the home and community-based services covered by ODODD-administered Medicaid waiver programs.

Requires ICFs/IID to provide the pamphlet to residents and their guardians, to discuss the pamphlet with them at certain times, and to refer to county boards of developmental disabilities those residents who indicate interest in enrolling in an ODODD-administered Medicaid waiver program.

Requires a county board, not later than 30 days after being contacted by an ICF/IID resident so referred, to enroll the resident in an ODODD-administered Medicaid waiver program if (1) the resident has been on a waiting list for the program since at least December 1, 2014, (2) the resident is eligible and chooses to enroll in the program, (3) the program has an available slot, and (4) the ODODD Director determines that ODODD has the funds necessary to pay the nonfederal share of the Medicaid expenditures for the services the resident receives under the program.

Makes ODODD responsible for the nonfederal share of the Medicaid expenditures for the home and community-based services received by such an ICF/IID resident enrolled in an ODODD-administered Medicaid waiver program.

Provides for the Medicaid-certified capacity of an ICF/IID with more than eight beds to be reduced for each resident enrolled in an ODODD-administered Medicaid waiver program.

Fiscal effect: According to ODODD, when an individual converts from an ICF/IID to a waiver, the agency generally considers it a budget neutral transaction. Responsibility for the nonfederal share for waiver services will shift from county DD boards to ODODD under these provisions. Potential minimal increase in administrative costs to develop the required pamphlet.

DDDCD37 ICF/IID sleeping room occupancy

R.C. 5124.70

Prohibits the operator of an ICF/IID from allowing more than two residents to share a sleeping room.

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Requires the operator of an ICF/IID in which more than two residents share a sleeping room to submit to ODODD a plan to come into compliance with the prohibition.

Requires that the plan include a commitment that the ICF/IID reduce its Medicaid-certified capacity by becoming a downsized ICF/IID or a partially converted ICF/IID and that implementation be completed by December 31, 2023.

Permits certain ICFs/IID to allow more than two residents to share a sleeping room while the ICF/IID is implementing a plan that has been approved by ODODD.

Prohibits an ICF/IID operator from admitting a new resident if more than two residents share a sleeping room.

Specifies that the sleeping room occupancy limits do not apply to certain ICFs/IID that became downsized or partially converted ICFs/IID on or before January 1, 2015.

Fiscal effect: None.

DDDCD38 Modified calculation of Medicaid payment rates for downsized, partially converted, and new ICFs/IID

R.C. 5124.101, 5124.15

Provides for certain modifications to be made in determining an ICF/IID's Medicaid payment rate for services provided during a certain period following the ICF/IID (1) downsizing, (2) partially converting to a provider of home and community-based services, or (3) beginning to participate in Medicaid after obtaining its beds from certain downsized ICFs/IID.

Fiscal effect: Estimated increase of \$2.8 million in FY 2016 and \$4.1 million in FY 2017.

DDDCD39 ICFs/IID Medicaid rates for certain residents

R.C. 5124.155, 5124.15

Provides for the Medicaid rate paid to an ICF/IID in peer group 1 or peer group 2 for ICF/IID services provided to a Medicaid recipient who is placed in the chronic behaviors and typical adaptive needs classification or the typical adaptive needs and non-significant behaviors classification to be the lesser of the regular rate or a flat rate specified in the bill.

Fiscal effect: Estimated savings of \$14.6 million in FY 2016 and \$6.8 million in FY 2017.

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DDDCD43 Priority status for residents of ICFs/IID and nursing facilities on home and community-based services waiting list

R.C. *5126.042*

Adds residents of ICFs/IID and nursing facilities to the list of individuals receiving priority status on the waiting list for home and community-based services provided by a county DD board.

Fiscal effect: None.

DDDCD33 Service and support administrators – county DD boards

R.C. *5126.15, 5126.201*

Prohibits service and support administrators for county DD boards from providing programs or services to individuals with mental retardation or developmental disabilities through self-employment.

Fiscal effect: None.

DDDCD46 Monthly personal needs allowance for Medicaid recipients residing in ICFs/IID

R.C. *5163.33*

Modifies, starting on January 1, 2016, the monthly personal needs allowance for Medicaid recipients residing in ICFs/IID to a minimum of \$50 for individuals and \$100 for married couples if both spouses are residents of an ICF/IID and their incomes are considered available to each other (the same personal needs allowance that applies to residents of nursing facilities).

Fiscal effect: ODODD has budgeted an increase in costs of \$100,000 in FY 2016 and \$200,000 in FY 2017 related to the increase in personal needs allowance for ICF residents; for DC residents, ODODD has budgeted an increase in costs of \$25,000 in FY 2016 and \$50,000 in FY 2017.

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DDDCD44 **ICF/IID franchise permit fee rate****R.C. 5168.60**

Reduces the franchise permit fee charged to ICFs/IID per bed per day from \$18.17 to \$18.07 for fiscal year 2016 and \$18.02 for fiscal year 2017 and thereafter.

Fiscal effect: Estimated franchise fee revenue to ODODD of \$44.8 million in FY 2016 and \$44.2 million in FY 2017. Estimated franchise fee payments made for state developmental centers (DCs) of \$6.2 million in FY 2016 and \$5.5 million in FY 2017. (Assuming the rate changes from \$18.17 in FY 2015 to \$18.07 in FY 2016 and to \$18.02 in FY 2017). For FY 2015, ODODD estimates franchise fee payments for DCs to total \$6.8 million.

DDDCD28 **Notice of ICF/IID's franchise permit fee****R.C. 5168.63, 5168.67**

Requires ODODD to notify, electronically or by United States Postal Service, ICFs/IID of (1) the amount of their franchise permit fees and (2) the date, time, and place of hearings to be held for appeals regarding the fees.

Fiscal effect: Potential increase in mailing costs.

DDDCD45 **Termination of ICF/IID franchise permit fee after conversion****R.C. 5168.64**

Revises the law governing the termination of the franchise permit fee charged to an ICF/IID that converts all of its beds to providing home and community-based services as follows:

- (1) Requires ODODD to terminate the fee regardless of when the conversion occurs;
- (2) Stipulates that the ICF/IID's Medicaid provider agreement must have been terminated as a consequence of the conversion in order for the fee to be terminated;

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(3) Requires that the termination take effect on the first day of the quarter immediately following the quarter in which the conversion takes place rather than on the first day of the quarter immediately following the quarter in which ODODD receives notice of the conversion from the Director of Health;

(4) Applies the termination requirement in the case of an ICF/IID that converts all of its beds after the ICF/IID is acquired by an individual through a request for proposals issued because the ICF/IID's license was previously surrendered or revoked.

Revises the law governing the redetermination of the franchise permit fee charged to an ICF/IID that converts some but not all of its beds to providing home and community-based services as follows:

(1) Stipulates that the ICF/IID's Medicaid-certified capacity must have been reduced as a consequence of the conversion in order for the fee to be redetermined;

(2) Applies the redetermination requirement in the case of an ICF/IID that converts some but not all of its beds after the ICF/IID is acquired by an individual through a request for proposals issued because the ICF/IID's license was previously surrendered or revoked.

Fiscal effect: None.

DDDCD1 **Developmental Disabilities facilities lease-rental bond 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.

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DDDCD2 Screening and Early Intervention**Section: 259.30**

Requires GRF appropriation item 322420, Screening and Early Intervention, to be used, at the discretion of ODODD, for professional and program development related to early identification/screening and intervention for children with autism and other complex developmental disabilities and their families.

DDDCD3 Family support services subsidy**Section: 259.40**

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

- (1) 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; and
- (2) To distribute funds to county DD boards for the purpose of addressing economic hardships and to promote efficiency of operations.

Specifies that a county DD board is not to use more than 7% of its subsidy for administrative costs.

DDDCD4 State Subsidy to County DD Boards**Section: 259.50**

Requires that, except for the amounts used for the nonfederal share of an ICF bed, GRF appropriation item 322501, County Boards Subsidies, be used for the following purposes:

- (1) 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;

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(2) 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

(3) 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.

DDDCD5 County board share of waiver services**Section: 259.60**

Requires the ODODD Director to establish a methodology to be used in FY 2016 and FY 2017 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 ODODD Director to provide written notice of the amount owed by each county board for each quarter.

DDDCD6 Tax Equity**Section: 259.70**

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.

Executive**DDDCD7 Medicaid Services****Section: 259.80**

Requires GRF appropriation item 653407, Medicaid Services, to be used for the following: (1) to fund home and community-based services as defined under section 5124.01 of the Revised Code; (2) to implement the requirements of the agreements settling the consent decrees in Sermak vs. Manuel and Martin v. Strickland; (3) ICF/IID services; and (4) other programs identified by the ODODD Director.

DDDCD8 Employment First Initiative**Section: 259.90**

Requires that GRF appropriation item 322508, Employment First Initiative, be used to increase employment opportunities for individuals with DD through the existing Employment First Initiative.

Requires the ODODD Director in each fiscal year to transfer from GRF appropriation item 322508, 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 Initiative 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 initiative.

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 initiative, and specifies that OOD must retain responsibility for eligibility determination, order of selection, plan approval, plan amendment, and release of vendor payments.

Requires that the remainder of GRF appropriation item 322508 be used to develop a long term, sustainable system that places individuals with DD in community employment.

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.

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DDDCD9 Operating and Services**Section: 259.100**

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

DDDCD10 Targeted case management services**Section: 259.110**

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

Permits the ODODD Director and the Director of Medicaid to enter into an interagency agreement, under which: (1) ODODD must transfer cash using an intrastate transfer voucher from the Targeted Case Management Fund (Fund 5DJ0), used by ODODD, to the Health Care/Medicaid Support and Recoveries Fund (Fund 5DL0), used by ODM, in amounts that equal the nonfederal portion of the cost of targeted case management services paid by county DD boards; and (2) ODM must pay the total cost of targeted case management claims.

DDDCD11 Withholding of funds owed ODODD**Section: 259.120**

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.

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DDDCD12 Developmental center billing for services**Section: 259.130**

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.

DDDCD13 Nonfederal match for active treatment services**Section: 259.140**

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

DDDCD14 ODODD Innovative Pilot Projects**Section: 259.150**

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, the Ohio Health Care Association/Ohio Centers for Intellectual Disabilities, the Values and Faith Alliance, and the ARC of Ohio.

Specifies that the ODODD 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.

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DDDCD15 FY 2016 Medicaid rates for ICFs/IID in peer groups 1 and 2

Section: 259.160

For FY 2016:

- (1) Modifies the formula to be used in determining the Medicaid payment rates for ICFs/IID in peer groups 1 and 2.
- (2) Provides for the total Medicaid rate paid to an ICF/IID in peer group 1 or 2 for services provided to a Medicaid recipient who is placed in the chronic behaviors and typical adaptive needs classification or the typical adaptive needs and non-significant behaviors classification to be the lesser of the rate determined with the modifications or a specified flat rate.
- (3) Requires ODODD, if the mean total per Medicaid day rate for ICFs/IID in peer groups 1 and 2, as determined in the manners discussed above, is other than \$288.99, to adjust the total per Medicaid day rate for each such ICF/IID by a percentage that equals the percentage by which the mean rate is greater or less than \$288.99.
- (4) Requires portions of appropriation items 653407, Medicaid Services, 653606, ICF/IID and Waiver Match, and 653653, ICF/IID to be used to pay certain Medicaid payment rates for ICF/IID services provided during FY 2016.

Fiscal effect: These provisions represent a two percent increase in the daily rate, which amounts to an \$11 million increase in Medicaid payments to ICFs for FY 2016.

DDDCD16 FY 2017 Medicaid rates for ICFs/IID in peer groups 1 and 2

Section: 259.170

For FY 2017:

- (1) Modifies the formula to be used in determining the Medicaid payment rates for ICFs/IID in peer groups 1 and 2.
- (2) Requires ODODD, if the mean total per Medicaid day rate for ICFs/IID in peer groups 1 and 2, as determined with modifications, is other than \$289.60, to adjust the total per Medicaid day rate for each such ICF/IID by a percentage that equals the percentage by which the mean rate is greater or less than \$289.60.
- (3) Requires portions of appropriation items 653407, Medicaid Services, 653606, ICF/IID and Waiver Match, and 653653, ICF/IID to be used to pay certain Medicaid payment rates for ICF/IID services provided during fiscal year 2017.

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Fiscal effect: These provisions continue the FY 2016 two percent increase in the daily rate, which amounts to an \$11 million increase in Medicaid payments to ICFs for FY 2017.

DDDCD17 FY 2016 Medicaid payment rate for ICFs/IID in peer group 3

Section: 259.180

Provides for an ICF/IID in peer group 3 that obtained an initial Medicaid provider agreement during FY 2015 to continue to be paid, for services provided during FY 2016, the ICF/IID's total per Medicaid day rate in effect on June 30, 2015.

Fiscal effect: None.

DDDCD18 Transfer of funds for outlier services provided to pediatric ventilator-dependent ICF/IID residents

Section: 259.190

Requires that in each quarter of FY 2016 and FY 2017, the ODODD Director certify to the Office of Budget and Management (OBM) Director the amount needed to pay the nonfederal share of the costs of the Medicaid rate add-on for outlier ICF services.

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.

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 appropriation item 653653, ICF/IID, and appropriates those amounts upon approval of the OBM Director.

Executive**DDDCD20 ICF/IID Medicaid Rate Workgroup****Section: 259.200**

Retains the previously created ICF/IID Medicaid Rate Workgroup to assist ODODD during FY 2016 and FY 2017 with its evaluation of revisions to the formula used to determine Medicaid payment rates for ICF/IID services. Requires the Workgroup, in conducting the evaluation, to (1) focus primarily on the service needs of individuals with complex challenges that ICFs/IID are able to meet; and (2) pursue the goal of reducing the Medicaid-certified capacity of individual ICFs/IID and the total number of ICF/IID beds in the state for the purpose of increasing the service choices and community integration of individuals eligible for ICF/IID services.

Fiscal effect: None.

DDDCD19 Nonfederal share of ICF/IID services**Section: 259.210**

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.

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DDDCD21 Payment rates for homemaker/personal care services provided to qualifying Individual Options enrollees**Section: 259.220**

Provides for the Medicaid payment rate for each 15 minutes of routine homemaker/personal care services provided to a qualifying enrollee of the Individual Options (IO) Waiver Program to be, for 12 months, 52 cents higher than the Medicaid payment rate in effect on the day the services are provided for each 15 minutes of such services provided to an IO enrollee who is not a qualifying enrollee.

Specifies that portions of appropriation items 653407, Medicaid Services, and 653639, Medicaid Waiver Services, are to be used to pay the Medicaid payment rate determined for routine homemaker/personal care services provided to qualifying IO enrollees.

Fiscal effect: This provision is a continuation of current policy. The fiscal impact depends on service utilization and the number of individuals who qualify for the increased rate.

DDDCD22 Updating authorizing statute citations**Section: 259.230**

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 ODODD Director amends the rules for other purposes.

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

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DDDCD23 Reason for the repeal of R.C. 5111.236**Section: 259.240**

Specifies that the bill is repealing 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.

DDDCD24 System Transformation Supports**Section: 259.250**

Allows the ODODD Director to use appropriation item 320607, System Transformation Supports, to purchase residential facility beds in order to reduce the number of beds certified for participation in Medicaid as ICF/IID beds and to fund other system transformation initiatives identified by the ODODD Director.

Requires the ODODD Director to establish priorities for the purchase of beds and requires that the purchase price of a bed be the price the ODODD Director determines is reasonable based on the established priorities.

Fiscal effect: Potential increase in administrative costs to establish priorities for the purchase of beds.

DDDCD25 ICF/IID payment methodology transformation**Section: 259.260**

Requires ODODD to issue a request for proposals for an entity to develop a plan to transform the formula used to determine Medicaid payment rates for the services of ICFs/IID in a manner that includes quality incentive measures, has payments be based on health outcomes, and promotes services that are provided in the most integrated setting.

Requires the entity developing the plan to consider recommendations of the ICF/IID Medicaid Rate Workgroup and the ICF/IID Quality Incentive Workgroup.

Specifies that the plan be developed with the goal of beginning implementation of the transformation on July 1, 2017.

Fiscal effect: Potential minimal increase in administrative costs.

Executive**DDDCD26 ICF/IID Quality Incentive Workgroup****Section: 259.270**

Requires the ODODD Director to create the ICF/IID Quality Incentive Workgroup to study the issue of establishing, as part of the Medicaid payment formula for ICF/IID services, accountability measures that act as quality incentives.

Fiscal effect: None.

DDDCD27 Community support and rental assistance**Section: 259.280**

Allows the ODODD Director to use appropriation item 322509, Community Support and Rental Assistance, to provide funding to county DD boards for rental assistance to individuals with developmental disabilities receiving home and community-based services under certain circumstances and to former residents of a developmental center.

Requires the ODODD Director to establish methodology for determining the amount and distribution of the funding to county DD boards for rental assistance.

Fiscal effect: Potential increase in administrative costs to establish a methodology for determining the amount and distribution of the funding to county DD boards.

Executive**OBMCD20** **FY 2015 GRF ending balance****Section: 512.30**

Requires the Director of OBM to allocate cash from the FY 2015 surplus GRF revenue that would otherwise be transferred to the Budget Stabilization Fund (Fund 7013) or the Income Tax Reduction Fund (Fund 4R80) as follows:

- (1) Reserve up to \$200,000,000 cash in the GRF to support personal income tax reductions;
 - (2) Transfer up to \$375,000,000 cash to the Budget Stabilization Fund to increase the balance of that fund to an amount equal to 5% of estimated FY 2017 GRF revenue;
 - (3) Transfer up to \$120,000,000 cash to the Student Debt Reduction Fund (Fund 5QF0);
 - (4) Transfer up to \$40,000,000 cash to the Unemployment Compensation Interest Contingency Fund (Fund 5HC0) for payment to the U.S. Secretary of the Treasury of accrued interest costs related to federal unemployment account borrowing;
 - (5) Transfer up to \$20,000,000 cash to the Disaster Services Fund (Fund 5E20);
 - (6) Transfer up to \$25,000,000 cash to the Systems Transformation Support Fund (Fund 5QM0);
 - (7) Transfer up to \$12,000,000 cash to the Natural Resources Special Purposes Fund (Fund 5MW0), which the bill creates;
 - (8) Transfer up to \$10,000,000 cash to the Local Government Innovation Fund (Fund 5KN0).
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MCDCD36 Home care services contracts

R.C. 121.36, (repealed)

Repeals a provision that requires, for contracts for home care services paid for with public funds, that the provider have a system for monitoring the delivery of services by the provider's employees.

Fiscal effect: No direct fiscal impact.

MCDCD30 Suspension of Medicaid provider agreements

R.C. 5164.36, 173.391, 5164.01, 5164.37, 5164.38, 5164.57

Makes an indictment of a provider, or provider's owner, officer, authorized agent, associate, manager, or employee, for a Medicaid-related criminal charge a reason to suspend a Medicaid provider agreement on the basis of being a source of a credible allegation of fraud rather than a separate cause for suspending a provider agreement.

Subjects hospitals, nursing facilities, intermediate care facilities for individuals with intellectual disabilities (ICFs/IID) to the requirement to suspend a Medicaid provider agreement because of an indictment for a Medicaid-related charge.

Permits ODM to suspend a Medicaid provider agreement when an owner, officer, authorized agent, associate, manager, or employee of a provider has another provider agreement suspended due to a credible allegation of fraud.

Requires ODM, when a Medicaid provider agreement is suspended due to a credible allegation of fraud, to suspend all Medicaid payments to the provider.

Permits a provider to submit to ODM, as part of a request to reconsider a Medicaid provider agreement suspension, information about mistaken identity instead of information about a mistake of fact.

Permits ODM to suspend a Medicaid provider agreement before conducting an adjudication if ODM determines that a credible allegation exists that the provider has negatively affected the health, safety, or welfare of Medicaid recipients.

Fiscal effect: None.

Executive

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.

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

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.

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.

Fiscal effect: Potential minimal increase in administrative costs.
