Fiscal Note & Local Impact Statement

127 th General Assembly of Ohio

Ohio Legislative Service Commission
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BILL: **Sub. H.B. 405** DATE: **May 20, 2008**

STATUS: **As Enacted – Effective September 1, 2008** SPONSOR: **Rep. Bacon**

LOCAL IMPACT STATEMENT REQUIRED: **No — No local cost**

CONTENTS: **Eliminates the requirement that each county board of mental retardation and developmental disabilities maintain a service substitution list and long-term service planning registry and revises the law governing county boards' waiting lists**

State Fiscal Highlights

- No direct fiscal effect on the state.

Local Fiscal Highlights

LOCAL GOVERNMENT	FY 2008 and FUTURE YEARS
County MR/DD Boards	
Revenues	- 0 -
Expenditures	Potential minimal decrease

Note: For most local governments, the fiscal year is the calendar year. The school district fiscal year is July 1 through June 30.

- The bill may result in minimal cost savings for county MR/DD boards as a result of no longer being required to maintain service substitution lists or long-term service planning registries.

Detailed Fiscal Analysis

County MR/DD board waiting lists

Continuing law requires a county board of mental retardation and developmental disabilities (MR/DD) to create waiting lists for the services it offers if the demand for the services exceeds available resources. A county MR/DD board is required to establish four priority policies for its waiting lists. Presently, there are limits on two of the priority policies. The bill eliminates these limits.

The bill also eliminates the December 31, 2009, sunset of state rules that (1) establish criteria a county MR/DD board may use in determining the order in which individuals with priority for home and community-based services will be offered the services if two or more individuals on a waiting list are to be given priority for the services and (2) specify conditions under which a county MR/DD board, when there is no individual with priority for the services available and appropriate for the services, may offer the services to another individual who is on the waiting list but does not qualify for priority.

This provision is not expected to have a fiscal effect on county MR/DD boards. County boards will maintain current service levels.

Service substitution lists

Currently, a county MR/DD board is prohibited from placing an individual on a waiting list if the individual is already receiving a service but would like to change to another service. Instead, the individual is to be placed on a service substitution list.

The bill repeals law governing service substitution lists, ending county MR/DD boards' authority to establish the lists. The bill also requires that an individual placed on a county MR/DD board's service substitution list before the bill's effective date is to be deemed to have been placed on the county MR/DD board's waiting list for the services on the date the individual made a request to the county board that the individual receive home and community-based services instead of the services the individual received at the time the request for home and community-based services was made to the county board.

This provision may result in minimal cost savings for county MR/DD boards as a result of no longer being required to maintain service substitution lists.

Long-term service planning registries

Currently, county MR/DD boards are required to maintain a long-term service planning registry for individuals who wish to record their intention to request in the future a service they are not currently receiving.

The bill repeals the law governing the long-term service planning registries. County MR/DD boards will no longer be required to maintain the registries.

This provision may result in minimal cost savings for some county MR/DD boards as a result of no longer being required to maintain a long-term service planning registry. Some county MR/DD boards may choose to continue maintaining a registry in order to facilitate long-term planning.

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