

Executive

As Passed by the House

In Senate Finance

**DOHCD3            Informed Consent Brochures Published on ODH's Web Site**

**R.C.        2317.56**

Requires ODH to publish materials that inform a pregnant woman seeking an abortion about family planning, pregnancy and childbirth assistance, adoption agencies, and probable anatomical and physiological characteristics of the zygote, blastocyte, embryo, or fetus at certain points during the pregnancy on ODH's web site.

Eliminates ODH's duty to produce more than one copy of the materials described above to any person, hospital, physician, or medical facility that requests more than one copy.

Eliminates the affirmative defense available to a physician or agent of the physician in a civil action that the physician or agent of the physician requested hard copies of the materials from ODH and ODH failed to produce them.

**Fiscal effect: Potential decrease in costs of approximately \$10,000 to ODH related to the printing and distribution of materials.**

**R.C.        2317.56**

Same as the Executive.

Same as the Executive.

Same as the Executive.

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

**R.C.        2317.56**

Same as the Executive.

Same as the Executive.

Same as the Executive.

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

**DOHCD12            Vital Statistics Fees Collected for the Children's Trust Fund and Family Violence Prevention Fund**

No provision.

No provision.

**R.C.        3109.14, 3705.242**

Requires, not later than 30 days following the end of each calendar quarter, a local commissioner of health or a local registrar of vital statistics to forward to ODH (as opposed to the Treasurer of State) the portion of the fees for certified copies of birth records, certifications of birth, and copies of death records the local commissioner or local registrar collects (and does not retain) for the benefit of the Children's Trust Fund and Family Violence Prevention Fund.

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<p>No provision.</p>	<p>No provision.</p>	<p>Requires ODH to pay to the Treasurer of State, not later than two days after receipt, all fees it collects from a local commissioner of health or local registrar of vital statistics and all fees the ODH Director charges and collects for the same purpose.</p> <p><b>Fiscal effect: Potential minimal increase in administrative costs for ODH.</b></p>
<p><b>DOHCD2                      Abolishment of the Public Health Council</b></p>		
<p>R.C.     <i>3701.02, (Repealed); Repealed: 3701.12, 3701.33 - 3701.35, Makes conforming changes to various other R.C. sections, Sections 601.50, 601.51, and 737.10</i></p> <p>Abolishes the Public Health Council and transfers the Council's responsibilities to the ODH Director. Specifies how the transfer is to take place.</p> <p>No provision.</p> <p><b>Fiscal effect: Decrease in costs for Council operating expenses since Council members receive pay and reimbursements for expenses related to carrying out their duties.</b></p>	<p>R.C.     <i>3701.02, (Repealed); Repealed: 3701.12, 3701.33 - 3701.35, Makes conforming changes to various other R.C. sections, Sections 601.50, 601.51, and 737.10</i></p> <p>Same as the Executive.</p> <p>No provision.</p> <p><b>Fiscal effect: Same as the Executive.</b></p>	<p>R.C.     <i>3701.02, (Repealed); Repealed: 3701.12, 3701.33 - 3701.35, Makes conforming changes to various other R.C. sections, Sections 601.50, 601.51, and 737.10</i></p> <p>Same as the Executive, but creates an 11-member Ohio Public Health Advisory Board in ODH to replace the Public Health Council that is abolished. The bill specifies that the Advisory Board is to review and make recommendations to the ODH Director on a variety of topics.</p> <p>Requires the ODH Director to consider the Advisory Board's recommendation regarding a proposed rule before the rule may be filed with the Joint Committee on Agency Rule Review except in the case of an emergency rule or a rule that is refiled with technical or other nonsubstantive revisions.</p> <p><b>Fiscal effect: Decrease in costs for Public Health Council operating expenses since Council members receive pay and reimbursements for expenses related to carrying out their duties. Increase in costs for reimbursements for expenses related to the Advisory Board.</b></p>

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DOHCD7 Home Health Agency Criminal Records Checks

R.C. 3701.181, 109.57, 109.572, 1121.23, 1155.03, 1163.05, 1315.141, 1321.37, 1321.53, 1321.531, 1322.03, 1322.031, 1733.47, 1761.26, 2151.86, 3712.09, 3721.121, 4763.05, 5104.012, 5104.013, 5104.09, Sections 610.10, 610.11, 620.10, 620.11, 751.20

R.C. 3701.181, 109.57, 109.572, 1121.23, 1155.03, 1163.05, 1315.141, 1321.37, 1321.53, 1321.531, 1322.03, 1322.031, 1733.47, 1761.26, 2151.86, 3712.09, 3721.121, 4763.05, 5104.012, 5104.013, 5104.09, Sections 610.10, 610.11, 620.10, 620.11, 751.20

R.C. 3701.181, 109.57, 109.572, 1121.23, 1155.03, 1163.05, 1315.141, 1321.37, 1321.53, 1321.531, 1322.03, 1322.031, 1733.47, 1761.26, 2151.86, 3712.09, 3721.121, 4763.05, 5104.012, 5104.013, 5104.09, Sections 610.10, 610.11, 620.10, 620.11, 751.20

Revises the law governing criminal records checks for employment positions with home health agencies as follows:

Same as the Executive.

Same as the Executive.

(1) Establishes a database review system to precede a criminal records check;

(1) Same as the Executive.

(1) Same as the Executive.

(2) Permits the ODH Director to adopt rules requiring employees to undergo database reviews and criminal records checks as a condition of continuing employment;

(2) Same as the Executive.

(2) Same as the Executive.

(3) Provides that a criminal records check is not required when an applicant cannot be employed or employee cannot continue employment due to the results of a database review;

(3) Same as the Executive.

(3) Same as the Executive.

(4) Revises the list of disqualifying offenses for which a criminal records check is to search;

(4) Same as the Executive.

(4) Same as the Executive.

(5) Permits the results of a criminal records check to be made available to a court, hearing officer, or other necessary individual involved in a case dealing with a civil or criminal action regarding the Medicaid program;

(5) Same as the Executive.

(5) Same as the Executive.

(6) Specifies that the database review and criminal records check requirements are to apply to employment positions that involve providing direct care to individuals;

(6) Same as the Executive.

(6) Same as the Executive.

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<p>(7) Makes the database review and criminal records check requirements uniform for applicants and employees who will serve patients of any age rather than different for and applicable only to positions in which a person is responsible for the care, custody, or control of a child and positions that involve providing direct care to older adults.</p>	<p>(7) Same as the Executive.</p>	<p>(7) Same as the Executive.</p>
<p><b>Fiscal effect: Minimal increase in administrative costs.</b></p>	<p><b>Fiscal effect: Same as the Executive.</b></p>	<p><b>Fiscal effect: Same as the Executive.</b></p>
<hr/> <p><b>DOHCD9                      Lupus Education and Awareness Program</b></p>		
	<p>R.C.        <i>3701.77, 3701.771 - 3701.775, and Section 737.60</i></p>	<p>R.C.        <i>3701.77, 3701.771 - 3701.775, and Section 737.60</i></p>
<p>No provision.</p>	<p>Authorizes ODH to establish, maintain, and promote a Lupus Education and Awareness Program and to establish both an intergovernmental council and an advisory panel to oversee the program.</p>	<p>Same as the House.</p>
<p>No provision.</p>	<p>Authorizes ODH to accept donations and grants from organizations, medical schools, and the federal government for fulfilling the obligations of the program.</p>	<p>Same as the House.</p>
<p>No provision.</p>	<p>Authorizes ODH to establish a grant program to support nonprofit health organizations with expertise in lupus.</p>	<p>Same as the House.</p>
<p>No provision.</p>	<p>Authorizes ODH to establish a grant program to educate and train health care professionals and service providers and requires that the grants be awarded to applicants who are affiliated with the Lupus Foundation of America.</p>	<p>Same as the House.</p>
	<p><b>Fiscal effect: Potential increase in costs if ODH establishes the program. Potential gain in revenues if ODH receives donations and/or is awarded grants related to the program.</b></p>	<p><b>Fiscal effect: Same as the House.</b></p>

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DOHCD5

Patient Centered Medical Home Education Program

R.C. *3701.921, 3701.922, Repealed: 185.04, 185.08, 185.10, 185.11, and 3701.032, Renumbers various sections in Chapter 185. to Chapter 3701.*

R.C. *3701.921, 3701.922, Repealed: 185.04, 185.08, 185.10, 185.11, and 3701.032, Renumbers various sections in Chapter 185. to Chapter 3701.*

R.C. *3701.921, 3701.922, Repealed: 185.04, 185.08, 185.10, 185.11, and 3701.032, Renumbers various sections in Chapter 185. to Chapter 3701.*

Establishes the Patient Centered Medical Home Education Program within ODH.

Same as the Executive.

Same as the Executive.

Requires the ODH Director, to the extent funds are available, to implement the existing Patient Centered Medical Home Education Pilot Project.

Same as the Executive.

Same as the Executive.

Removes a cap on physician practices that may be permitted to participate in the Pilot Project and provides that a practice is ineligible to participate in the Pilot Project unless the practice submitted an application not later than April 15, 2011.

Same as the Executive.

Same as the Executive.

Maintains, in part, the existing Patient Centered Medical Home Education Advisory Group, but specifies that the Advisory Group is to provide recommendations to the ODH Director rather than serve as a decision-making body.

Same as the Executive.

Same as the Executive.

Eliminates the authority of the Advisory Group to appoint an executive director and employ other necessary staff and a requirement that, upon securing funding, the Advisory Group provide participating practices in the Pilot Project reimbursement for up to 75% of the cost incurred in purchasing health information technology.

Same as the Executive.

Same as the Executive.

Includes curricula for physician assistants in the patient centered medical home model of care curricula development program required by existing law.

Same as the Executive.

Same as the Executive.

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<p>Authorizes the ODH Director to adopt rules defining what constitutes a "patient centered medical home" for purposes of identifying an entity authorized to provide care coordination services, rather than defining a "health home" as provided under current law.</p> <p><b>Fiscal effect: Increase in administrative costs to ODH to implement and administer the program.</b></p>	<p>Same as the Executive.</p> <p><b>Fiscal effect: Same as the Executive.</b></p>	<p>Same as the Executive.</p> <p><b>Fiscal effect: Same as the Executive.</b></p>
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<p>DOHCD4      Ohio Violent Death Reporting System</p>		
<p>R.C.      <i>3701.93, 3701.931 - 3701.938, 3701.9310 - 3701.9312, and 3701.9314</i></p>	<p>R.C.      <i>3701.93, 3701.931 - 3701.938, 3701.9310 - 3701.9312, and 3701.9314</i></p>	<p>R.C.      <i>3701.93, 3701.931 - 3701.938, 3701.9310 - 3701.9312, and 3701.9314</i></p>
<p>Requires, subject to the availability of funds, the ODH Director to establish and maintain the Ohio Violent Death Reporting System to monitor the incidence and causes of various types of violent deaths in Ohio. Requires the ODH Director to adopt rules necessary to establish, maintain, and carry out the purposes of the system.</p>	<p>Same as the Executive.</p>	<p>Same as the Executive.</p>
<p>Creates an advisory group of interested parties and stakeholders to recommend actions to relevant entities to prevent violent deaths, and other necessary recommendations.</p>	<p>Same as the Executive.</p>	<p>Same as the Executive.</p>
<p>Establishes confidentiality requirements for information, data, and records collected for use and maintained by, and all work products created in carrying out the purposes of, the Reporting System.</p>	<p>Same as the Executive.</p>	<p>Same as the Executive.</p>
<p><b>Fiscal effect: None.</b></p>	<p><b>Fiscal effect: Same as the Executive.</b></p>	<p><b>Fiscal effect: Same as the Executive.</b></p>

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DOHCD6 Certificate of Need Program

R.C. *3702.51, 3702.511, 3702.52, 3702.526, and 3702.527, Repealed: 3702.521, 3702.5210 - 3702.5212, 3702.5123, 3702.58, and 3702.591, Renumbers various sections in Chapter 3702., and Makes conforming changes in various sections*

R.C. *3702.51, 3702.511, 3702.52, 3702.526, and 3702.527, Repealed: 3702.521, 3702.5210 - 3702.5212, 3702.5123, 3702.58, and 3702.591, Renumbers various sections in Chapter 3702., and Makes conforming changes in various sections*

R.C. *3702.51, 3702.511, 3702.52, 3702.526, and 3702.527, Repealed: 3702.521, 3702.5210 - 3702.5212, 3702.5123, 3702.58, and 3702.591, Renumbers various sections in Chapter 3702., and Makes conforming changes in various sections*

Modifies the certificate of need (CON) law to reflect current practices and clarify certain provisions. Makes various changes to CON law including the following:

Same as the Executive.

Same as the Executive.

With respect to a CON application, specifies that (1) the application fee is nonrefundable unless the ODH Director determines that the application cannot be accepted and (2) the ODH Director's determination that a CON application is not complete is final and not subject to appeal.

Same as the Executive.

Same as the Executive.

Eliminates a provision allowing, and in some cases, requiring, a community public informational hearing on a CON application. Eliminates a requirement that the ODH Director invite interested parties to a meeting requested by one or more people about a CON application. Requires the ODH Director to consider all written comments received regarding a CON application, but eliminates the requirement that a hearing be conducted when written comments are received.

Same as the Executive.

Same as the Executive.

Eliminates requirements that the ODH Director regularly conduct health system data collection and analysis for the CON Program and that the ODH Director issue and annually review a state health resources plan. Eliminates the requirement that the Public Health Council is to authorize the creation of one or more nursing home placement clearing houses. Eliminates the requirement that the ODH Director designate health service areas and health service agencies

Same as the Executive.

Same as the Executive.

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<p>for each area and all requirements related to health service areas and agencies.</p>		
<p>Provides that the ODH Director's determination that a CON has expired is final and not subject to appeal.</p>	<p>Same as the Executive.</p>	<p>Same as the Executive.</p>
<p>Modifies the process for reviewing applications for replacement or relocation of long-term beds from a county with excess beds to a county with fewer beds than needed. Modifies requirements for the review of applications for an increase in beds in an existing nursing home to limit the increase to a total of no more than 30 beds for all applications combined. Requires the ODH Director to accept applications for replacement CONs under certain conditions.</p>	<p>Same as the Executive.</p>	<p>Same as the Executive.</p>
<p>Requires the following regarding a bed relocation project approved on any CON application: (1) the end of operation of a number of beds in the long-term care facility that is equal to the number of beds relocated from the facility; (2) the reduction of the license for beds in the source facility by the number of licensed beds relocated; (3) the surrender of the certification for relocated beds that are certified; and (4) the removal of the beds that are skilled nursing beds or long-term care beds by the ODH Director from the registration list.</p>	<p>Same as the Executive.</p>	<p>Same as the Executive, but specifies that the requirement to cease operating an equal number of beds applies when the relocation project is completed rather than when it is approved.</p>
<p><b>Fiscal effect: Potential minimal decrease in administrative costs relating to the CON Program. There is an application fee charged for CON applications, so the program is paid for with these fee revenues.</b></p>	<p><b>Fiscal effect: Same as the Executive.</b></p>	<p><b>Fiscal effect: Same as the Executive.</b></p>

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**DOHCD8      Nursing Homes' Social Worker Staff Requirements**

**R.C.      3721.04**

Provides that rules governing nursing homes (1) cannot prescribe the number of social workers that nursing homes with 120 or fewer beds must employ; (2) must require each nursing home with more than 120 beds to employ one social worker on a full-time basis; and (3) must require each nursing home to offer its residents medically related social services that assist the residents in attaining or maintaining their highest practicable physical, mental, and psychosocial well-being.

**Fiscal effect: The provision above makes state law mirror federal certification requirements.**

**R.C.      3721.04**

Same as the Executive.

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

**R.C.      3721.04**

Same as the Executive.

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

**DOHCD1      Late Fees under the Radiation Control Program**

**R.C.      3748.04, 3748.07, 3748.12, and 3748.13**

Decreases the penalty for late payment of a fee charged by ODH under the Radiation Control Program to an additional 10% of the original fee, when the fee remains unpaid on the 91st day after the invoice date. (Currently, fees that are paid late are assessed at two times the original fee if not paid within 90 days and five times the original fee if not paid within 180 days.)

**Fiscal effect: Potential loss of fine revenue deposited into the Quality Monitoring and Inspection Fund (Fund 5B50).**

**R.C.      3748.04, 3748.07, 3748.12, and 3748.13**

Same as the Executive.

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

**R.C.      3748.04, 3748.07, 3748.12, and 3748.13**

Same as the Executive.

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

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DOHCD11

Legislative Committee on Public Health Futures

No provision.

No provision.

**Section: 737.91**

Establishes the Legislative Committee on Public Health Futures to review the report of the Futures Committee of the Ohio Association of Health Commissioners and to develop recommendations for legislative and fiscal policies that can be considered for inclusion in the public health phase of the 2013-2014 operating budget.

No provision.

No provision.

Specifies that the Legislative Committee is to be comprised of legislative members and of members representing various associations concerned with public health.

No provision.

No provision.

Requires the ODH Director to support the Legislative Committee.

**Fiscal effect: ODH could experience an increase in administrative costs for providing support to the Committee. The bill does not specify if the members will receive reimbursements for necessary and actual expenses associated with serving on the Committee.**

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DDDCD3      Licensure of ICFs/MR as Residential Facilities

R.C.      *5123.192, (Repealed and New Enactment), 3702.62, 3721.01, 3721.21, 3721.50, 5123.171, 5123.19, 5123.41, and 5126.51, Section 751.10*

R.C.      *5123.192, (Repealed and New Enactment), 3702.62, 3721.01, 3721.21, 3721.50, 5123.171, 5123.19, 5123.41, and 5126.51, Section 751.10*

R.C.      *5123.192, (Repealed and New Enactment), 3702.62, 3721.01, 3721.21, 3721.50, 5123.171, 5123.19, 5123.41, and 5126.51, Section 751.10*

Repeals a law that makes an ICF/MR subject to licensure by the Department of Health as a nursing home rather than by ODODD as a residential facility if the ICF/MR was certified before June 30, 1987, or had an application to convert intermediate care facility beds to ICF/MR beds pending on that date.

Same as the Executive.

Same as the Executive.

Requires a person or government agency that is operating an ICF/MR pursuant to a nursing home license to do the following as a condition of continuing to operate the ICF/MR on and after July 1, 2013:

Same as the Executive.

Same as the Executive.

(1) Apply to the ODODD Director for a residential facility license not later than February 1, 2013.

(1) Same as the Executive.

(1) Same as the Executive.

(2) Obtain the residential facility license not later than July 1, 2013.

(2) Same as the Executive.

(2) Same as the Executive.

**Fiscal effect: Potential increase in administrative costs for ODODD to license additional ICF/MR beds and a negligible gain of license revenue. Corresponding potential decrease in administrative costs for the Department of Health and negligible loss of license revenue.**

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

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

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<b>Medicaid</b>		
<b>JFSCD9</b> <b>Uniform Eligibility Standards and Procedures</b>		
<b>R.C.      121.35</b> Requires the Departments of Aging, Alcohol and Drug Addiction Services, Development, Developmental Disabilities, Education, Health, Job and Family Services, Mental Health, and Rehabilitation Services Commission to collaborate to revise eligibility standards and eligibility determination procedures of programs they administer for the purpose of making the standards and procedures more uniform.	<b>R.C.      121.35</b> Same as the Executive.	<b>R.C.      121.35</b> Same as the Executive.
<b>Fiscal effect: None.</b>	<b>Fiscal effect: Same as the Executive.</b>	<b>Fiscal effect: Same as the Executive.</b>

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**MHCCD1            Licensing of Manufactured Homes**

**R.C.        *4781.01, Renumbers various existing sections under Chapter 3733. under Chapter 4718.; Sections 747.10.10, 747.10.20, 747.10.30; Repealed: 3733.01, 3733.031***

**R.C.        *4781.01, Renumbers various existing sections under Chapter 3733. under Chapter 4781.; Sections 747.10.10, 747.10.20, 747.10.30; Repealed: 3733.01, 3733.031***

**R.C.        *4781.01, Renumbers various existing sections under Chapter 3733. under Chapter 4781.; Sections 747.10.10, 747.10.20, 747.10.30; Repealed: 3733.01, 3733.031***

(1) Transfers authority over the licensure and inspection of manufactured home parks from the Public Health Council (Department of Health) to the Manufactured Homes Commission.

(1) Same as the Executive.

Same as the Executive.

(2) Replaces the member of the Commission that represents the Department of Health with a member who is a registered sanitarian, has experience with the regulation of manufactured homes, and is an employee of a health district.

(2) Same as the Executive.

Same as the Executive.

(3) Specifies a procedure for the Commission to follow when a person violates manufactured homes law.

(3) Same as the Executive.

Same as the Executive.

(4) Makes a violation of the regulation of manufactured homes parks a fourth degree misdemeanor.

(4) Same as the Executive.

Same as the Executive.

(5) Creates the Manufactured Homes Commission Regulatory Fund and requires licensing fees and certain other fees to be deposited into the fund.

(5) Same as the Executive.

Same as the Executive.

(6) Allows boards of health to transfer prior manufactured home park licensing and inspection fees in the amount of \$2,000 or less to the general fund of the local board of health and requires funds in excess of \$2,000 to be transferred to the Manufactured Homes Commission Regulatory Fund.

(6) Same as the Executive.

Same as the Executive.

(7) Allows the Commission to enter into contracts for the inspection of manufactured home parks and gives the boards of health of city or general health districts the right of

(7) Same as the Executive.

Same as the Executive.

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first refusal for those contracts.

(8) Requires a board of health to issue to the Commission a report of an inspection of a manufactured home park that was completed in response to a flood event within ten days after the inspection is completed.

(8) Same as the Executive.

Same as the Executive.

**Fiscal effect: This will increase MHC's regulatory costs, but these will be recouped by license fees collected from manufactured home park operators. There are approximately 1,800 manufactured homes parks operating in the state. Under the provision, these fees and other related to the regulation of manufactured homes are to be deposited into the Manufactured Homes Commission Regulatory Fund created by the provision, as opposed to the Occupational Licensing and Regulatory Fund (Fund 4K90) that currently supports MHC's operations.**

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

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

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LOCCD15 Local Boards of Health - Authority to Contract

R.C. 3709.08, 3709.36, and 3709.081 (repealed)

Specifies that local boards of health are bodies corporate and politic and have all rights and responsibilities inherent with this designation.

No provision. Included in H.B. 509, As Introduced.

No provision. Included in H.B. 509, As Introduced.

Clarifies that local boards of health may contract with each other for the provision of some or all public health services, rather than only for all services as under current law.

No provision. Included in H.B. 509, As Introduced.

No provision. Included in H.B. 509, As Introduced.

Specifies that the effectiveness of a contract in which one local board of health agrees to provide some, but not all, public health services on behalf of another local board is not dependent on the ODH Director's approval.

No provision. Included in H.B. 509, As Introduced.

No provision. Included in H.B. 509, As Introduced.

**Fiscal effect: None.**

LOCCD14 General Health District Appropriation Measures

R.C. 3709.28

Requires that a general health district comply with specific current law provisions requiring the adoption of an itemized appropriation measure and revenue estimate for a fiscal year only if the district will receive an appropriation from the municipal corporations and townships that comprise the district. Allows general health districts that do not receive such appropriations to instead comply with general law provisions governing the adoption of an appropriation measure by a subdivision.

No provision. Included in H.B. 509, As Introduced.

No provision. Included in H.B. 509, As Introduced.

Provides that the revenue estimate certified by a general health district for a fiscal year must include any surplus money in the district health fund that will be carried forward to that fiscal year from the current fiscal year to fund ongoing

No provision. Included in H.B. 509, As Introduced.

No provision. Included in H.B. 509, As Introduced.

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operations.

**Fiscal effect: None.**