Legal Rights Service

Senate Finance and Financial Institutions

Clay Weidner, Budget Analyst

Legislative Service Commission

May 1, 2003

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LSC Redbook

for the

Legal Rights Service

Senate Finance and Financial Institutions

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Compare Document: Permanent and Temporary Law, As Introduced to As Passed by the House

LSC Budget Spreadsheet, Executive to House Passed Comparison

May 1, 2003

Note: The estimated General Revenue Fund (GRF) spending for FY 2003 used in this LSC Redbook reflects the 2.5% reduction made as a result of the Governor's January 22, 2003 budget cut order. The executive reduction was applied across-the-board to FY 2003 GRF appropriations, subject to certain exceptions. Subsequent to such reductions (and not reflected in the Redbook), state agencies were permitted to reallocate the amount that each of their GRF appropriation line items was reduced, while still absorbing the 2.5% budget cut within the total amount of their GRF appropriations.

Legal Rights Service

- Executive recommendations include level funding in FY 2004 and FY 2005
- Federal funding increases by 14.3% in FY 2004 with level funding in FY 2005

OVERVIEW

Revised Code 5123.60 created the Ohio Legal Rights Service (OLRS) in 1975 as Ohio's federally-mandated protection and advocacy (P&A) agency. The federal government requires every state to designate a P&A organization. To date, only eight state P&As are government agencies. The agency's goal is to provide people with disabilities the opportunity to realize self-determination, equality of opportunity, and full participation in the community. Legal Rights Service provides P&A services to individuals with a developmental disability, mental illness, or other significant physical or mental impairment that substantially interferes with life activity. Legal Rights Service responds to allegations of abuse, neglect, and rights violations and advocates for access to appropriate education, health care, housing, employment, and institutional reform for individuals with disabilities. Legal Rights Service provides legal representation, information and referral, professional assistance, negotiation and mediation, education, and training. Legal Rights Service also conducts public hearings and subpoenas persons in order to obtain information needed to perform their duties. The agency has a staff of 47, consisting of attorneys, advocates, administrators, policy analysts, and support. In FY 2002, OLRS provided services for 21,837 individuals with disabilities.

Legal Rights Service receives several federal grants, which constitute the majority of its funding. Traditionally, OLRS served individuals with developmental disabilities and/or mental illness. However, about eight years ago the agency became involved in two federal grant programs that significantly expanded the number of individuals that OLRS serves to include physical impairments such as deafness, blindness, cancer, traumatic brain injury, and multiple sclerosis.

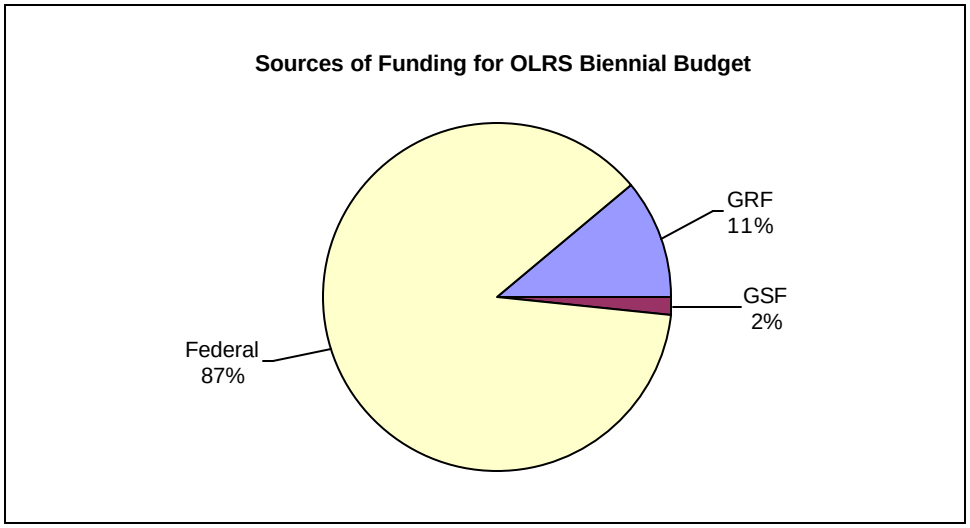
The Legal Rights Service Commission provides oversight for OLRS. The Commission has seven members: three appointed by the Speaker of the House of Representatives; three appointed by the President of the Senate; and one, the chairperson, is appointed by the Chief Justice of the Supreme Court. The Commission is responsible for appointing an executive director for OLRS and advising on budget and policies.

During the current biennium, OLRS focused heavily on policy work. According to the agency, one of the most efficient ways to help the disabled community is through meaningful and effective public policy. In addition, a key aspect of the policy work process is collecting and understanding public sentiment. In October 2002, OLRS held a public forum in Cincinnati to gain more input to better determine priority advocacy areas and future agency goals. More public forums are planned for different areas of Ohio.

Legal Rights Service dealt with GRF reductions in FY 2002 by reducing the hours in which they take cases, referred to as intake hours, for special education and shifting some allowable Ombuds cases to federal funding sources. The agency did not cut funding for the Ombuds program since the program has a significant caseload. Despite the GRF reductions, OLRS was able to maintain current service levels in all programs areas.

Executive Recommendations

Legal Rights Service is about 87% federally-funded and about 11% state GRF funded. The executive recommendations include level GRF funding in FY 2004 and FY 2005. The federal portion of OLRS budget increases by 14.3% from FY 2003 estimated spending levels. In FY 2005, the Executive recommends level funding.



Olmstead

Legal Rights Service monitors Ohio's compliance with *Olmstead v. L.C.*, 119 S. Ct. 2176 (1999). In 1999, the United States Supreme Court ruled that the Americans with Disabilities Act of 1990, 42 U.S.C. 12101, requires states to place qualified individuals into community settings, as opposed to institutions. According to OLRS, as individuals move from institutions to community settings, the risks of abuse become much greater. Legal Rights Service supports the movement of individuals into the community; however, as more individuals with disabilities move into the community, it becomes more difficult for OLRS to find and serve those individuals. During the next biennium, OLRS expects its caseload to significantly increase due to the movement of more individuals with disabilities into community settings. The Department of Mental Retardation and Developmental Disabilities and the Ohio Department of Job and Family Services are currently redesigning Medicaid services which will impact movement of individuals with disabilities from institutions into the community. Legal Rights Service continually monitors Ohio's compliance with *Olmstead* and studies the systematic barriers that need to be lifted to ensure the decision is enforced. The agency is co-chair of the legislative committee on *Olmstead* compliance and a member of the Ohio Olmstead Task Force. Legal Rights Service is also distributing literature promoting the U.S. Supreme Court decision and its implications on the disabled community.

Performance Audit

The Commission recently requested the Office of the Auditor to perform a performance audit of OLRS. Legal Rights Service voluntarily agreed to the audit, which cost the agency approximately $60,000. According to OLRS, the audit's recommendations will help the agency "chart a course for agency services and management." OLRS has posted the audit's recommendations on their website and will post implementation plans and updates for each of the audit's recommendations.

ANALYSIS OF EXECUTIVE PROPOSAL

Legal Rights Service

Purpose: To protect and guarantee the human, civil, and legal rights of people with disabilities.

The following table shows the line items that are used to fund the Ohio Legal Rights Service (OLRS), as well as the Governor's recommended funding levels.

Fund	ALI	Title	FY 2004	FY 2005
GRF	054-100	Personal Services	$193,516	$193,514
GRF	054-200	Maintenance	$33,938	$33,938
GRF	054-300	Equipment	$1,856	$1,856
GRF	054-401	Ombudsman	$321,423	$321,425
416	054-601	Gifts and Donations	$1,352	$1,352
5M0	054-610	Settlements	$75,000	$75,000
3B8	054-603	Protection and Advocacy – Mentally Ill	$1,018,279	$1,018,279
3K7	054-604	Family Support Collaborative	$242,500	$242,500
3N3	054-606	Protection and Advocacy – Individual Rights	$507,648	$507,648
3N9	054-607	Assistive Technology	$50,000	$50,000
3T2	054-609	Client Assistance Program	$404,807	$404,807
3X1	054-611	Protection and Advocacy – Social Security	$187,784	$187,784
3Z6	054-612	Traumatic Brain Injury	$50,000	$50,000
305	054-602	Protection and Advocacy – Developmentally Disabled	$1,280,363	$1,280,363
Total funding: Legal Rights Service			**$4,368,466**	**$4,368,465**

Legal Rights Service is a single program series agency. Specific activities of the OLRS that this analysis will focus on include:

- ***OMBUDSMAN PROGRAMS/LEGAL SECTION***
- ***FEDERAL PROGRAMS***

Ombudsman Programs/Legal Section

Program Description: The Executive Director appoints ombudspersons, disabilities rights advocates, and attorneys who advocate for individual and systemic change through individual, group and class action cases, monitoring policies, legislative activity, and education and training. Legal Rights Service represents large numbers of clients through investigation, negotiation, and policy development. Legal action is taken only as a last resort. Under law, OLRS is required to facilitate the resolution of complaints through non-legal means whenever possible. In FY 2002, OLRS provided services to more than 21,000 Ohioans with disabilities. The Ombuds program served 739 Ohioans through individual or group cases and through information and referral in FY 2002. Legal Rights Service also participates on committees and advisory groups of public and private agencies.

Ombuds Programs: The Ombuds program provides investigation, advocacy, mediation, and information and referral to individuals with a mental illness, mental retardation, or developmental disabilities. The Ombuds section is also charged with receiving and monitoring all Major Unusual Incident (MUIs) reports from public, private, and community providers. The agency maintains separate mental health and developmental disability MUI databases. In FY 2002, 20,937 MUI reports were received by OLRS. This represents a 26.3% increase over FY 2001 levels. Almost 78% of the MUIs occurred in community MR/DD placements, 12.3% in child residential placements, and 5% occurred in MR/DD Developmental Centers.

The Ombuds section also acts on complaints from mentally retarded and other developmentally disabled and mentally ill persons, their relatives or guardians, public officials, or interested citizens regarding health and safety, abuse and neglect, and rights violations. Ombudspersons notify the Department of Mental Retardation and Developmental Disabilities, the Department of Mental Health, or any other appropriate governmental agency of the complaint. If the situation cannot be satisfactorily resolved, the Ombuds section can recommend action to the appropriate authorities. If the complaint involves the commission of a crime or the violation of standards of professional conduct, the section may notify the Attorney General, county prosecuting attorney, or other appropriate law enforcement agency.

Legal Section: The OLRS legal section investigates and acts upon allegations of rights violations. The section seeks settlements through advocacy and negotiation and provides legal representation in individual and class actions when necessary. Over previous biennia, OLRS settled three long-standing class action suits with the Department of Mental Retardation and Developmental Disabilities. These three suits are the *Barbara C.* case, the *Sidles* case, and *Sermak v. Ritchey*. Legal Rights Service continually monitors individuals involved in these cases and provides them with the necessary advocacy services. Legal Rights Service is currently trying to negotiate a settlement in *Martin v. Taft.* However, it appears that this suit will go to trial sometime in June 2003.

Funds received by OLRS as a result of legal settlements and attorney fees are deposited into Fund 5M0 and are appropriated in line item 054-610, Settlements. These moneys may only be used for the program from which the settlement or attorney fees were derived.

Funding Source: GRF

Line Items: 054-100, 054-200, 054-300, 054-401, 054-601, 054-610

Implication of the Executive Recommendation: Since 1998, GRF funding to OLRS has declined by 39%. Non-federal programs receive level GRF funding in FY 2004 and FY 2005 under the executive recommendations. Funding is reduced in line items 054-100, Personal Services (reduction of 11% in FY 2004); 054-200, Maintenance (reduction of 15%); and 054-300, Equipment (reduction of 14.9%). The executive recommendations do include a GRF increase of 10.4% in line item 054-401, Ombudsman.

General Revenue Fund funds are the only moneys allocated for the Ombuds program, under which abuse allegations and MUI reports are investigated. The executive recommendations would allow current service levels to be maintained. However, external factors (e.g., closure of two MR/DD Developmental Centers, MR/DD Victim's of Crime Task Force recommendations, possible required reporting of MUIs by county boards of mental health, and GRF cuts in other state agencies that serve the disabled) will significantly impact the potential caseload of the Ombuds program over the next biennium. According to the agency, these external factors most likely will lead to the biggest increase in Ombuds' caseload since the program's inception. Further, OLRS recently increased intake hours, as suggested by the performance audit, from fours hours a day, four days a week, to six hours a day, five days a week. Legal Rights

Service states that the extended intake hours have almost doubled their potential caseload since the intake extension. Legal Rights Service will be forced to freeze special education intakes to deal with the actual and potential increased caseload. When OLRS freezes intake, they attempt to provide information, referrals, and other resources to assist families in need of services.

The decreased appropriation for line item 054-100, Personal Services, will force the agency to reduce the number of special projects and could lead to strict prioritization of investigation resources.

The executive recommended level of funding includes the GRF match for the Family Support Collaborative grant. The executive recommended level of funding will not have any implications on the agency's ability to seek federal grants that fit the agency's statutory mission. However, it will not allow that agency to accept any grant that requires a significant GRF match.

Federal Programs

Program Descriptions: Legal Rights Service operates seven federal programs. They are as follows:

Protection and Advocacy for Individuals with Developmental Disabilities (PADD) – This federal program protects and advocates for the human and civil rights of people with developmental disabilities in developmental centers, schools, and in Ohio communities. This program served a total of 1,619 individuals in FY 2002.

Protection and Advocacy for Individuals with Mental Illness (PAIMI) – The PAIMI program serves Ohio's mentally ill adults, children, and youth in psychiatric hospitals and communities. This program served a total of 4,144 individuals in FY 2002.

Protection and Advocacy for Individual Rights (PAIR) – The PAIR program serves individuals with any significant disability other than those served by the PADD, PAIMI, or Client Assistance Programs. For example, PAIR eligible individuals include persons with chronic or serious medical conditions, people with physical disabilities, and people with traumatic brain injury who received the disabling injury after age 22. The PAIR program advocates for people who have been discriminated against or whose rights have been violated. This program served a total of 1,641 individuals in FY 2002.

Protection and Advocacy for Assistive Technology (PAAT) – This federal grant helps provide protection and advocacy services to individuals in need of assistive technology devices. OLRS uses this money to provide legal representation or mediation and negotiation services to those who need these devices.

Protection and Advocacy for Beneficiaries of Social Security (PABSS) – This federal grant is used to assist SSI or SSDI beneficiaries who seek vocational rehabilitation services, employment services, and other support services from employment networks and other service providers under the Ticket to Work Improvement Act of 1999. Under the program, the Social Security Administration issues tickets to SSI and SSDI beneficiaries for vocational and employment services. To date, the "tickets" have not been issued to Ohio. Legal Rights Service does not expect the "tickets" to be issued to Ohio until 2004. Legal Rights Service expects the caseload to grow as the "tickets" are issued.

Client Assistance Program (CAP) – The purpose of the CAP program is to establish a system to insure the rights of individuals seeking from, or receiving services through, the Rehabilitation Service Commission's Bureau of Vocational Rehabilitation (BVR) or Bureau of Services for the Visually Impaired (BSVI). The Client Assistance Program informs, advises, and can pursue legal, administrative,

or other appropriate remedies for clients and client applicants experiencing employment-related problems. The Client Assistance Program also provides information on Title I of the Americans with Disabilities Act. This program served a total of 467 individuals in FY 2002.

Family Support Collaborative (FSC) – Legal Rights Service receives this federal grant through the Ohio Developmental Disabilities Council. The purpose of the FSC grant is to identify children and youth with disabilities in out-of-home placements, to identify barriers that keep children from living with a family, to plan for coordinated, efficient supports and services that assist children with disabilities to live with birth, adoptive, or foster families, and to bring together stakeholders to develop policy toward this end.

Funding Sources: With the exception of the FSC program, for which the state is required to provide matching funds of $81,000 (33%), these programs are 100% federally funded.

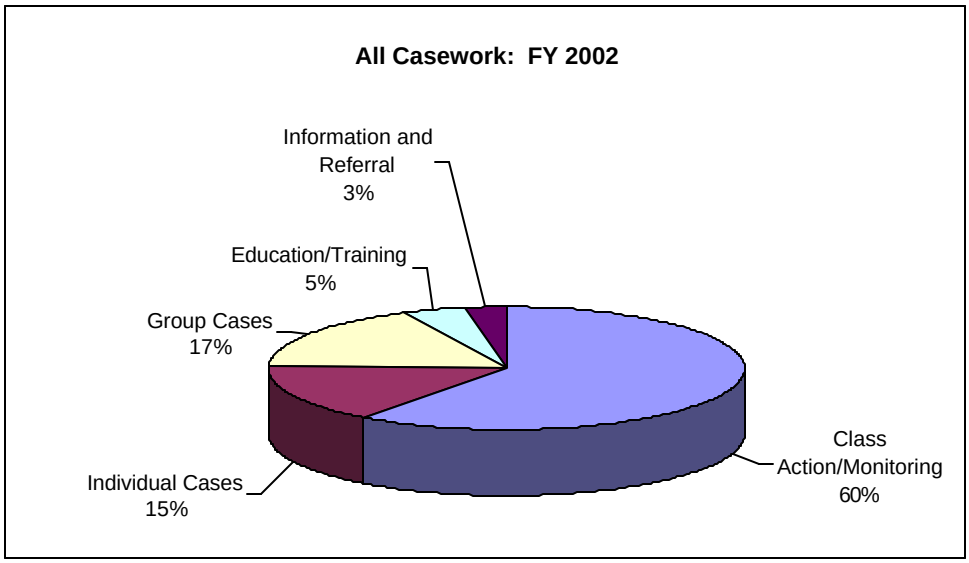
Line Items: 054-100, 054-200, 054-602, 054-603, 054-604, 054-606, 054-607, 054-609, 054-611

Implication of the Executive Recommendation: The executive recommendations include a 14.3% increase in FY 2004 with no increase in FY 2005 in federal funding. These levels will allow for continued services in these federally-funded programs. Legal Rights Service has three vacancies that it may fill, subject to the availability of federal funds. Legal Rights Service plans to fill two of these positions in FY 2003 and the third in FY 2004.

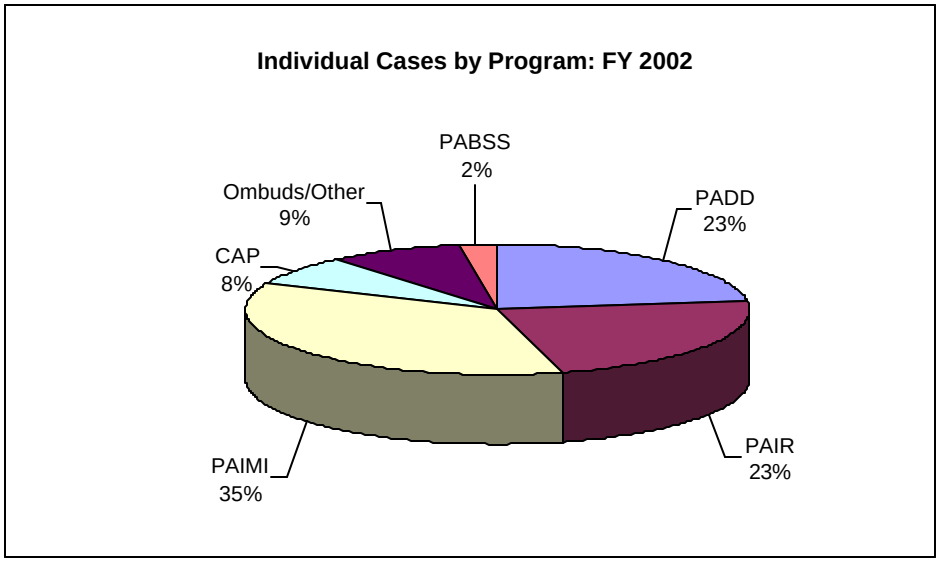
ADDITIONAL FACTS AND FIGURES

Legal Rights Service - Staffing Levels						
					Estimated	
Category	**2000**	**2001**	**2002**	**2003**	**2004**	**2005**
Administration	5	5	5	5	5	5
Support	7	7	7	6	7	7
Policy Analysis	3	3	3	3	3	3
Attorneys	9	10	10	10	10	10
Advocates	18	19	19	22	22	22
Totals	**42**	**44**	**44**	**46**	**47**	**47**

Casework and Information and Referrals



Individual Cases by Program



PERMANENT AND TEMPORARY LAW

There are no permanent or temporary law provisions contained in the executive budget that affect Legal Rights Service.

REQUESTS NOT FUNDED

Legal Rights Service						
Fund Line Item	FY 2004 Requested	FY 2004 Recommended	Difference	FY 2005 Requested	FY 2005 Recommended	Difference
GRF 054-100	$203,475	$193,516	($9,959)	$203,475	$193,514	($9,961)
GRF 054-200	$34,808	$33,938	($870)	$34,808	$33,938	($870)
GRF 054-300	$1,904	$1,856	($48)	$1,904	$1,856	($48)
GRF 054-401	$381,154	$321,423	($59,731)	$443,228	$321,425	($121,863)
TOTALS	$621,341	$550,733	($70,608)	$683,415	$550,733	($132,682)

Legal Rights Service requested an additional $70,608 in GRF appropriations in FY 2004 and $132,742 in FY 2005 that was not funded. The additional appropriations would have covered payroll costs for an additional Ombuds staff person and various other personnel costs. As a result, OLRS will reduce the number of experts hired to help with special projects and will have to further prioritize investigation resources. However, current service levels will be maintained in all programs. Legal Rights Service will have to reprioritize the types of cases taken based on external factors (e.g., the closing of a two developmental centers).

General Revenue Fund

GRF 054-100 Personal Services

2000	2001	2002	2003 Estimate	2004 House Passed	2005 House Passed
$331,826	$316,769	$242,522	$217,386	**$193,514**	**$193,514**
	-4.5%	-23.4%	-10.4%	**-11.0%**	**0.0%**

Source: GRF

Legal Basis: ORC 5123.60 (originally established by Am. Sub. S.B. 336 of the 110th G.A. as ORC 5123.94; renumbered as ORC 5123.60 in Am. Sub. H.B. 900 of the 113th G.A.)

Purpose: This line item funds personnel costs, including a small portion of which is allotted for purchased personal service contracts.

GRF 054-200 Maintenance

2000	2001	2002	2003 Estimate	2004 House Passed	2005 House Passed
$50,355	$49,672	$44,599	$39,918	**$33,938**	**$33,938**
	-1.4%	-10.2%	-10.5%	**-15.0%**	**0.0%**

Source: GRF

Legal Basis: ORC 5123.60 (originally established by Am. Sub. S.B. 336 of the 110th G.A. as ORC 5123.94; renumbered as ORC 5123.60 in Am. Sub. H.B. 900 of the 113th G.A.)

Purpose: This line item funds maintenance costs.

GRF 054-300 Equipment

2000	2001	2002	2003 Estimate	2004 House Passed	2005 House Passed
$2,960	$2,744	$2,439	$2,182	**$1,856**	**$1,856**
	-7.3%	-11.1%	-10.5%	**-14.9%**	**0.0%**

Source: GRF

Legal Basis: ORC 5123.60 (originally established by Am. Sub. S.B. 336 of the 110th G.A. as ORC 5123.94; renumbered as ORC 5123.60 in Am. Sub. H.B. 900 of the 113th G.A.)

Purpose: This line item funds equipment costs.

GRF 054-401 Ombudsman

2000	2001	2002	2003 Estimate	2004 House Passed	2005 House Passed
$387,036	$374,969	$306,942	$291,247	**$291,247**	**$291,247**
	-3.1%	-18.1%	-5.1%	**0.0%**	**0.0%**

Source: GRF

Legal Basis: ORC 5123.601 (originally established by Am. Sub. S.B. 322 of the 116th G.A.)

Purpose: This line item funds the Ombudsman Section of the Legal Rights Service. This section receives and investigates complaints from individuals with mental retardation and other developmental disabilities and persons with mental illness, their relatives or guardians, public officials or interested citizens. The section notifies the Department of Mental Retardation and Developmental Disabilities (DMR), the Department of Mental Health (DMH) or any other appropriate governmental agency of a complaint. If the situation cannot be satisfactorily resolved, the ombudsman can recommend action to the appropriate authorities. If the complaint involves the commission of a crime or the violation of standards of professional conduct, the section may notify the Attorney General, county prosecuting attorney, or other appropriate law enforcement agency.

General Services Fund Group

416 054-601 Gifts and Donations

2000	2001	2002	2003 Estimate	2004 House Passed	2005 House Passed
$0	$0	$26,982	$1,352	**$1,352**	**$1,352**
	N/A	N/A	-95.0%	**0.0%**	**0.0%**

Source: GSF: Income from staff speaking engagements and the sale of manuals; agencies requesting speakers to reimburse travel costs if they are able to do so and used; miscellaneous income for other services provided; private donations

Legal Basis: Section 67 of Am. Sub. H.B. 94 of the 124th G.A. (originally established by Am. Sub. H.B. 204 of the 113th G.A.)

Purpose: To fulfill advocacy functions for individuals with mental illness, mental retardation, and/or developmental disabilities in the state's institutions. The funds in this line item cover the cost of paper, copying supplies, and printing associated with the production of Legal Rights Service materials.

524 054-608 Traumatic Brain Injury

2000	2001	2002	2003 Estimate	2004 House Passed	2005 House Passed
$0	$42,655	$107,345	$0	**$0**	**$0**
	N/A	151.7%	-100.0%	**N/A**	**N/A**

Source: GSF: Federal grant received by the Ohio Rehabilitation Services Commission (CFDA 93.234, Traumatic Brain Injury - State Demonstration Grant Program) and awarded to Legal Rights Service

Legal Basis: Section 67 of Am. Sub. H.B. 94 of the 124th G.A. (originally established by the Controlling Board on August 18, 1998)

Purpose: To address the issues related to accessing housing for individuals with Traumatic Brain Injury (TBI). With this grant, LRS is working to identify the housing problems for individuals with TBI; investigating housing initiatives in other states for individuals with disabilities; identifying possible housing solutions; developing a user friendly guide highlighting housing issues for individuals with TBI and their families, with the assistance of an advisory committee; and providing information to the Ohio Brain Injury Advisory Committee, the Community Support Networks, and the state and local chapters of the Brain Injury Association on how to impact the housing plans which the federal government requires for states and localities receiving federal housing dollars.

The Ohio Rehabilitation Services Commission awarded this grant to Legal Rights Service in cooperation with the Head Injury Advisory Council and the Ohio Brain Injury Association. This grant terminated on September 30, 2001.

5M0 054-610 Settlements

2000	2001	2002	2003 Estimate	2004 House Passed	2005 House Passed
$0	$121,673	$261,796	$75,000	**$75,000**	**$75,000**
	N/A	115.2%	-71.4%	**0.0%**	**0.0%**

Source: GSF: Legal settlements and attorney fees

Legal Basis: Section 67 of Am. Sub. H.B. 94 of the 124th G.A. (originally established by Controlling Board on May 22, 2000)

Purpose: Moneys deposited into Fund 5M0 and appropriated in this line item are required to go back into the program from which the settlement/attorney fees were derived. These moneys are typically used for one-time expenditures, but have also been used to temporarily cover payroll costs. The majority of the moneys currently in the fund are derived from a settlement with the Department of Mental Retardation and Developmental Disabilities in the Sermak v. Ritchie case. LRS will use this money to provide evaluations for class members, to pay for start up costs for class members who have not yet relocated, and to pay for certain medical/adaptive assistive equipment for class members.

Federal Special Revenue Fund Group

305 054-602 Protection and Advocacy-Developmentally Disabled

2000	2001	2002	2003 Estimate	2004 House Passed	2005 House Passed
$1,149,805	$1,052,240	$1,165,774	$1,068,109	**$1,280,363**	**$1,280,363**
	-8.5%	10.8%	-8.4%	**19.9%**	**0.0%**

Source: FED: CFDA 93.630, Administration on Developmental Disabilities-Basic Support (under the Developmental Disability Services and Facilities Construction Act for a variety of programs and facilities serving developmentally disabled persons) and Advocacy Grants

Legal Basis: Section 67 of Am. Sub. H.B. 94 of the 124th G.A. (originally established by Controlling Board on March 30, 1981)

Purpose: These funds are used to protect and advocate for the rights of people with developmental disabilities, provide technical assistance and advocacy training to local citizen advocacy groups, maintain a toll-free number, and disseminate information.

3B8 054-603 Protection and Advocacy-Mentally Ill

2000	2001	2002	2003 Estimate	2004 House Passed	2005 House Passed
$743,084	$842,019	$1,116,768	$810,314	**$1,018,279**	**$1,018,279**
	13.3%	32.6%	-27.4%	**25.7%**	**0.0%**

Source: FED: CFDA 93.138, Protection and Advocacy for Individuals with Mental Illness

Legal Basis: Section 67 of Am. Sub. H.B. 94 of the 124th G.A. (originally established by Controlling Board on November 11, 1986)

Purpose: These moneys are to be used to protect and advocate for the rights of the mentally ill or those persons alleged to be mentally ill, and to investigate reported incidents of abuse or neglect. The Legal Rights Service receives this federal funding as the state's designated protection and advocacy agency.

3N3 054-606 Protection and Advocacy-Individual Rights

2000	2001	2002	2003 Estimate	2004 House Passed	2005 House Passed
$378,952	$372,601	$494,090	$468,445	**$507,648**	**$507,648**
	-1.7%	32.6%	-5.2%	**8.4%**	**0.0%**

Source: FED: CFDA 84.240, Program of Protection and Advocacy of Individual Rights (administered by the U.S. Department of Education)

Legal Basis: Section 67 of Am. Sub. H.B. 94 of the 124th G.A. (originally established by Controlling Board on November 2, 1993)

Purpose: This appropriation is used to serve all individuals with any disability who are not eligible for services funded with Protection and Advocacy for Individuals with Mental Illness funding or Protection and Advocacy for Individuals with Developmental Disabilities funding, or through the Client Assistance Program.

3N9 054-607 Assistive Technology

2000	2001	2002	2003 Estimate	2004 House Passed	2005 House Passed
$73,960	$72,952	$39,364	$50,000	**$50,000**	**$50,000**
	-1.4%	-46.0%	27.0%	**0.0%**	**0.0%**

Source: FED: CFDA 84.224, State Grants for Technology - Related Assistance to Individuals with Disability (available through the Technology-Related Assistance Act of 1994)

Legal Basis: Section 67 of Am. Sub. H.B. 94 of the 124th G.A. (originally established by Controlling Board on November 1, 1994)

Purpose: To provide protection and advocacy services to people with disabilities who are in need of assistive technology devices. Specifically, LRS uses this money to provide legal representation for people with disabilities who need these devices, but are impeded by rules, squabbles over jurisdiction and responsibilities between public agencies, or funding limitations. LRS attempts to solve these issues through mediation and negotiation before resorting to litigation.

3R9 054-604 Family Support Collaborative

2000	2001	2002	2003 Estimate	2004 House Passed	2005 House Passed
$178,356	$227,799	$262,740	$242,500	**$242,500**	**$242,500**
	27.7%	15.3%	-7.7%	**0.0%**	**0.0%**

Source: FED: CFDA 93.630, Developmental Disabilities Basic Support and Advocacy Grants, a three-year grant from the Ohio Developmental Disabilities Planning Council

Legal Basis: Section 67 of Am. Sub. H.B. 94 of the 124th G.A. (originally established by the Controlling Board on June 22, 1998)

Purpose: To identify children and youth with disabilities in out-of-home placements; to identify barriers that keep children from living with a family; to plan for coordinated, efficient supports and services that assist children with disabilities to live with birth, adoptive or foster families; and to bring together stakeholders to develop policy toward this end.

3T2 054-609 Client Assistance Program

2000	2001	2002	2003 Estimate	2004 House Passed	2005 House Passed
$436,964	$391,851	$378,148	$404,807	**$404,807**	**$404,807**
	-10.3%	-3.5%	7.0%	**0.0%**	**0.0%**

Source: FED: CFDA 84.161, Client Assistance Program (federal funds through the Rehabilitation Act of 1973, as amended)

Legal Basis: Section 67 of Am. Sub. H.B. 94 of the 124th G.A. (originally established by Am. Sub. H.B. 283 of the 123rd G.A.)

Purpose: The purpose of the program is to establish a system to insure the rights of individuals seeking or receiving services from through the Rehabilitation Service Commission's Bureau of Vocational Rehabilitation (BVR) or Bureau of Services for the Visually Impaired (BSVI). The Client Assistance Program informs, advises, and can pursue legal, administrative, or other appropriate remedies for clients and client applicants experiencing employment-related problems. The Client Assistance Program is prohibited from bringing any class actions.

3X1 054-611 Protection and Advocacy for Beneficiaries of Social Security

2000	2001	2002	2003 Estimate	2004 House Passed	2005 House Passed
$0	$2,663	$115,817	$187,784	**$187,784**	**$187,784**
	N/A	4248.6%	62.1%	**0.0%**	**0.0%**

Source: FED: CFDA 96.008, Protection and Advocacy for Beneficiaries of Social Security (administered by the U.S. Social Security Administration)

Legal Basis: Section 67 of Am. Sub. H.B. 94 of the 124th G.A. (originally established by Controlling Board on June 11, 2001)

Purpose: These funds are to be used to assist SSI or SSDI beneficiaries who are seeking vocational rehabilitation services, employment services, and other support services from employment networks and other service providers under the Ticket to Work Improvement Act of 1999 (Section 1110 of the Social Security Act, as amended).

3Z6 054-612 Traumatic Brain Injury

2000	2001	2002	2003 Estimate	2004 House Passed	2005 House Passed
$0	$0	$0	$42,000	**$50,000**	**$50,000**
	N/A	N/A	N/A	**19.0%**	**0.0%**

Source: FED: CFDA 93.234 D, Traumatic Brain Injury Protection and Advocacy

Legal Basis: Originally established by Controlling Board on October 28, 2002

Purpose: The funds are used to protect and advocate for the rights of people with traumatic brain injuries, to insure that service systems are accesible to people with traumatic brain injuries, to provide technical assistance and advocacy training to local advocacy groups, and to diseminate information. These funds are provided by the U.S. Department of Health and Human Services, Health Resources and Services Administration.

As Introduced	As Passed by the House
Subject: Amplifies the Powers of the Legal Rights Service Commission	
	R.C. ***5123.60***
No provision.	Gives the Legal Rights Service Commission the authority to make rules, establish litigation policy guidelines, review budget requests of the Legal Rights Service, deletes the Commission's authority to establish guidelines for the resolution of litigation, and changes the tenure of the administrator of the Legal Rights Service to serve at the pleasure of the Commission. Also, the Legal Rights Service Commission is given the authority to create a procedure for determining and hearing grievances against the Legal Rights Service by individuals who have been represented or denied representation by the Legal Rights Service. Fiscal effect: The administrative costs associated with these additional duties appear unlikely to exceed minimal.

LSC Budget Spreadsheet by Line Item, FY 2004 - FY 2005

Fund	ALI	ALI Title	Estimated 2003	As Introduced 2004	House Sub Bill 2004	% Change Est. 2003 to House 2004	As Introduced 2005	House Sub Bill 2005	% Change House 2004 to House 2005
LRS		***Legal Rights Service***							
GRF	054-100	Personal Services	$217,386	$ 193,516	$ 193,514	-11.0%	$ 193,514	$ 193,514	0.0%
GRF	054-200	Maintenance	$39,918	$ 33,938	$ 33,938	-15.0%	$ 33,938	$ 33,938	0.0%
GRF	054-300	Equipment	$2,182	$ 1,856	$ 1,856	-14.9%	$ 1,856	$ 1,856	0.0%
GRF	054-401	Ombudsman	$291,247	$ 321,423	$ 291,247	0.0%	$ 321,425	$ 291,247	0.0%
General Revenue Fund Total			**$ 550,733**	**$ 550,733**	**$ 520,555**	**-5.5%**	**$ 550,733**	**$ 520,555**	**0.0%**
416	054-601	Gifts and Donations	$1,352	$ 1,352	$ 1,352	0.0%	$ 1,352	$ 1,352	0.0%
524	054-608	Traumatic Brain Injury	$0	$ 0	$ 0	N/A	$ 0	$ 0	N/A
5M0	054-610	Settlements	$75,000	$ 75,000	$ 75,000	0.0%	$ 75,000	$ 75,000	0.0%
General Services Fund Group Total			**$ 76,352**	**$ 76,352**	**$ 76,352**	**0.0%**	**$ 76,352**	**$ 76,352**	**0.0%**
305	054-602	Protection and Advocacy-Developmentally Disabled	$1,068,109	$ 1,280,363	$ 1,280,363	19.9%	$ 1,280,363	$ 1,280,363	0.0%
3B8	054-603	Protection and Advocacy-Mentally Ill	$810,314	$ 1,018,279	$ 1,018,279	25.7%	$ 1,018,279	$ 1,018,279	0.0%
3N3	054-606	Protection and Advocacy-Individual Rights	$468,445	$ 507,648	$ 507,648	8.4%	$ 507,648	$ 507,648	0.0%
3N9	054-607	Assistive Technology	$50,000	$ 50,000	$ 50,000	0.0%	$ 50,000	$ 50,000	0.0%
3R9	054-604	Family Support Collaborative	$242,500	$ 242,500	$ 242,500	0.0%	$ 242,500	$ 242,500	0.0%
3T2	054-609	Client Assistance Program	$404,807	$ 404,807	$ 404,807	0.0%	$ 404,807	$ 404,807	0.0%
3X1	054-611	Protection and Advocacy for Beneficiaries of Social Security	$187,784	$ 187,784	$ 187,784	0.0%	$ 187,784	$ 187,784	0.0%
3Z6	054-612	Traumatic Brain Injury	$42,000	$ 50,000	$ 50,000	19.0%	$ 50,000	$ 50,000	0.0%
Federal Special Revenue Fund Group Total			**$ 3,273,959**	**$ 3,741,381**	**$ 3,741,381**	**14.3%**	**$ 3,741,381**	**$ 3,741,381**	**0.0%**
Total All Budget Fund Groups			***$ 3,901,044***	***$ 4,368,466***	***$ 4,338,288***	***11.2%***	***$ 4,368,466***	***$ 4,338,288***	***0.0%***