

Ohio Legal Rights Service

Senate Finance and Financial Institutions Committee

*Stephanie Suer, Budget Analyst
Legislative Service Commission*

May 22, 2007

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LSC Redbook
for the
Ohio Legal Rights Service

Senate Finance and Financial Institutions Committee

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May 22, 2007

Ohio Legal Rights Service

- The executive recommended \$5,525,674 in FY 2008 and \$5,375,674 in FY 2009.
- 86% of OLRs' funding is made up of federal funds

OVERVIEW

Revised Code section 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 system to protect and advocate for the rights of people with disabilities. Ohio 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. 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. Ohio 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. Ohio Legal Rights Service provides legal representation, information and referral, professional assistance, negotiation and mediation, education, and training.

The administrator of OLRs is appointed by a seven-member commission. The Chief Justice of the Supreme Court appoints one member, who serves as chair, and the Speaker of the House of Representatives and the President of the Senate appoint three members each. Terms of office are for three years. The commission advises the administrator on policy and budget issues.

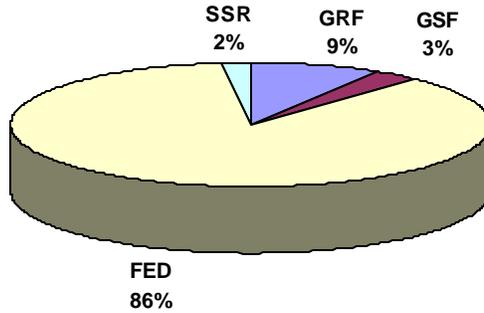
Ohio Legal Rights Service receives several federal grants, which constitute the majority of its funding. Initially, OLRs primarily served individuals with developmental disabilities and/or mental illness. Additional federal funding has allowed OLRs to also serve those individuals with physical impairments such as deafness, blindness, cancer, traumatic brain injury, and multiple sclerosis.

Executive Recommendations

Approximately 86% of OLRs's total budget is federal funds, while approximately 9% is state GRF. Federal dollars support nine OLRs protection and advocacy programs, whereas state GRF finances the Ombudsman program and general operations. The executive recommended \$5,525,674 in FY 2008 and \$5,375,674 in FY 2009. The recommendation represents a 12.8% increase in FY 2008 over FY 2007 levels, and the FY 2009 recommendation is a 2.7% increase over FY 2008 levels. Federal funding makes up the largest portion of OLRs's budget, with \$4.7 million recommended in both fiscal years.

The following chart shows the sources of OLRs's funding for FYs 2008 and 2009.

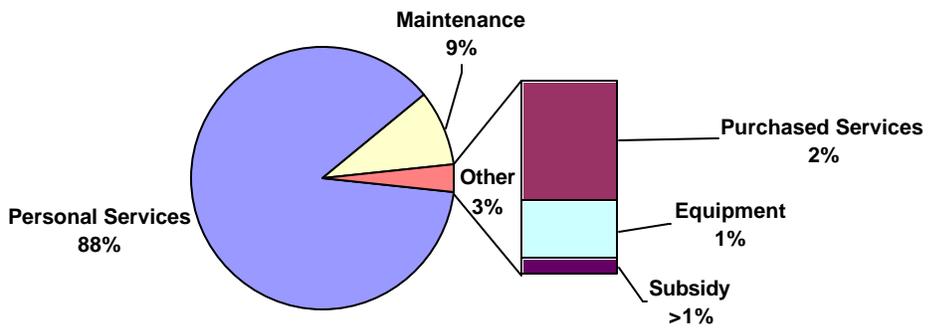
**Sources of OLRs Budget
FYs 2008-2009**



Objects of Expenses

The following chart illustrates the objects of expense of the OLRs biennial budget for FYs 2008-2009, as recommended by the executive:

**Objects of Expense
FYs 2008-2009**



Budget Issues

Martin Settlement

In 1989, OLRS filed a federal class action lawsuit against Ohio claiming undue segregation in institutions for individuals with mental retardation or other developmental disabilities (MR/DD) and large waiting lists for people in need of services. According to OLRS, the *Martin* lawsuit seeks integrated community residential services, specifies that state programs should not discriminate against people with severe disabilities, and states that integrated residential services should be developed.

Recently, a settlement to the longstanding case was announced. The settlement specifies that the Governor will request 1,500 new, state-funded, Individual Option (IO) waiver slots in the 2008-2009 biennial budget. The Department of Mental Retardation and Developmental Disabilities must request Controlling Board approval for \$4.2 million of capital dollars for the Community Capital Assistance Housing Program, 7% of which must be allocated for housing accessibility. All class members in ICFs/MR or NFs will be surveyed about their preference regarding community placement.

The Court issued final approval of the consent order on February 5, 2007. OLRS, as class counsel, is awarded \$150,000 as costs in the litigation.

Developmental Center Closures

During the last biennium, OLRS monitored the conditions at each center and the subsequent community placement to assure the safety and quality of life of the residents. OLRS staff attended each placement meeting and met with families to assist them with their placement options. Representatives from OLRS estimated that approximately 1,271 staff hours were spent on the Apple Creek closure, which occurred in the context of the *Sidles v. Moritz* consent order, and approximately 272 hours were spent on the Springview closure.

Major Unusual Incidents (MUIs)

One of the fundamental ways OLRS monitors the health and safety of individuals with disabilities is through the review, analysis, and investigation of Major Unusual Incidents (MUIs). MUIs, as defined in the Ohio Administrative Code, is an alleged, suspected, or actual occurrence of an incident that adversely affects the health and safety of an individual, including acts committed or allegedly committed by one individual against another. The ODMR/DD and Ohio Department of Mental Health (ODMH) are required by state statute to notify OLRS of all MUIs and furnish all relevant reports within 48 hours. For the past several years, ODMR/DD and OLRS have shared a secured database. OLRS receives MUI data from ODMR/DD in a paperless, web-based format.

According to the OLRS, ODMH enacted administrative rules that allow providers to no longer report episodes of restraint, seclusion, or emergency medication interventions unless serious injury occurs. These incidents are now recorded in restraint/seclusion logs that ODMH and OLRS plan to review biannually. This change in reporting has significantly reduced the number of reports from children's mental health facilities. In FY 2006, OLRS reviewed more than 20,000 MUI reports indicating alleged abuse, neglect, and emergency situations or rights violations. In FY 2005, OLRS reviewed 270 MUI death reports. In part to obtain information from these logs, and also because of denial of access to investigation records, OLRS has filed litigation against providers, prevailing in each case.

STAFFING LEVELS

OLRS Staffing Levels						
Program Series/Division	2004	2005	2006	2007	Estimated	
					2008	2009
Administration	12	12	11	11	11	11
Policy Analysis	3	3	3	3	4	4
Attorneys	12	12	11	11	12	12
Advocates	23	22	22	22	18	18
Totals	50	49	47	47	45	45

ANALYSIS OF EXECUTIVE PROPOSAL

Single Program Series

Operating Expenses

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, as well as the Governor's recommended funding levels.

Fund	ALI	Title	FY 2008	FY 2009
General Revenue Fund				
GRF	054-321	Support Services	\$198,075	\$198,075
GRF	054-401	Ombudsman	\$291,247	\$291,247
General Revenue Fund Subtotal			\$489,322	\$489,322
State Special Revenue Fund				
5AE	054-614	Grants and Contracts	\$100,000	\$100,000
State Special Revenue Fund Subtotal			\$100,000	\$100,000
General Services Fund				
5M0	054-610	Program Support	\$81,352	\$81,352
5M0	054-617	Martin Settlement	\$150,000	0
General Services Fund Subtotal			\$231,352	\$81,352
Federal Special Revenue Fund				
3AG	054-613	Protection and Advocacy –Voter Accessibility	\$115,000	\$115,000
3B8	054-603	Protection and Advocacy – Mentally Ill	\$1,089,999	\$1,089,999
3CA	054-615	Work Incentives Plan and Assistance	\$355,000	\$355,000
3N3	054-606	Protection and Advocacy – Individual Rights	\$560,000	\$560,000
3N9	054-607	Assistive Technology	\$160,000	\$160,000
3R9	054-604	Family Support Collaborative	\$55,000	\$55,000
3R9	054-616	Developmental Disability Publications	\$130,000	\$130,000
3T2	054-609	Client Assistance Program	\$435,000	\$435,000
3X1	054-611	Protection and Advocacy and Beneficiaries – Social Security	\$235,001	\$235,001
3Z6	054-612	Traumatic Brain Injury	\$70,000	\$70,000
305	054-602	Protection and Advocacy – Developmentally Disabled	\$1,500,000	\$1,500,000
Federal Special Revenue Fund Subtotal			\$4,705,000	\$4,705,000
Total Funding: Ohio Legal Rights Service			\$5,525,674	\$5,375,674

Ohio Legal Rights Service is a single program series agency. The specific programs that this analysis will focus on include:

- **Ombuds/Legal Section**
- **Federal Protection and Advocacy**

Ombuds/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. Ohio 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 nonlegal means whenever possible.

Ombuds Section: 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 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.

Revised Code section 5123.604(C) also requires the Ombuds section to receive and monitor all Major Unusual Incident (MUIs) reports from public, private, and community providers. The Ohio departments of Mental Retardation and Developmental Disabilities (ODMR/DD) and Mental Health (ODMH) are required by statute to notify OLRS of all investigations of MUIs and furnish all relevant reports within 48 hours. Ombudspersons notify ODMR/DD, ODMH, 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. In FY 2006, over 20,000 MUI reports were received by OLRS.

Legal Section: The OLRS Legal section investigates and acts upon allegations of rights violations in cases that do not fit in any of the federal protection and advocacy programs (see below). The Legal section seeks settlements through advocacy and negotiation and provides legal representation in individual and class actions when necessary. OLRS continually monitors individuals involved in these cases and provides them with the necessary advocacy services.

Implication of Executive Recommendation: The executive recommends level funding in FY 2008 and FY 2009 for all of the Department's GRF line items supporting the Ombuds/Legal programs, totaling \$489,322 in each fiscal year. The executive recommendations will cover the nonfederal match required to receive federal grant dollars. 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.

Federal Protection and Advocacy

Program Description: Ohio Legal Rights Service receives grants for nine federal protection and advocacy 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 717 individuals in FY 2006 and made up approximately 20% of OLRS' individual cases.

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 1,303 individuals in FY 2006 and made up approximately 36% of OLRs' individual cases.

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 796 individuals in FY 2006 and made up approximately 22% of OLRs' individual cases.

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. This program served a total of 56 individuals in FY 2006.

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 tickets are issued to SSI and SSDI beneficiaries for vocational and employment services. This program served a total of 124 individuals in FY 2006 and made up approximately 3% of OLRs' individual cases.

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 260 individuals in FY 2006, approximately 7% of OLRs' individual cases.

Family Support Collaborative (FSC) – Ohio 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.

Protection and Advocacy for Voting Assistance (PAVA) – Ohio Legal Rights Service receives this federal grant to implement the federal Help America Vote Act. The Act provides for protection and advocacy services to advance the voting rights of people with disabilities. This program served a total of 180 individuals in FY 2006, making up approximately 5% of OLRs' individual cases.

Implication of Executive Recommendation: The executive recommendations represent an 11.6% increase from FY 2007 in FY 2008 with no increase in FY 2009. These levels will allow for continued levels of service in these federally funded programs.

During the budget process, OLRs usually does not know the amount of each grant because the federal budget is not finalized. Consequently, OLRs goes to the Controlling Board, when necessary, to request increases in appropriation authority based on the federal grant award. However, OLRs federal dollars were cut by 2% in FFYs 2005 and 2006, and flat funded at that level under the long-term resolution that controls FFY 2007.

OLRS requested \$4,614,854 in both FYs 2008 and 2009. For FY 2008, the executive recommended \$910,820 more than OLRs requested. In FY 2009, the executive recommended \$760,820 more than OLRs requested. The executive recommendation does not reflect actual dollar amounts for OLRs' federal grants, which OLRs anticipates will reflect flat funding or only modest gains.

TEMPORARY AND PERMANENT LAW PROVISIONS

Program Income Fund for Legal Rights Service programs (R.C. 5123.605). Creates the Program Income Fund in the state treasury. Revenue generated from settlements, gifts, donations, and other sources of Legal Rights Service program income must be credited to the Fund. The Fund must be used to support Legal Rights Service programs for purposes from which the income was derived or for the general support of Legal Rights Service programs.

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General Revenue Fund

GRF 054-100 Personal Services

2004	2005	2006	2007 Estimate	2008 House Passed	2009 House Passed
\$182,847	\$162,281	\$162,281	\$162,281	\$0	\$0
	-11.2%	0.0%	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: The executive proposes to consolidate GRF appropriation items 054-100, Personal Services, 054-200, Maintenance, and 054-300, Equipment into new appropriation item 054-321, Support Services.

GRF 054-200 Maintenance

2004	2005	2006	2007 Estimate	2008 House Passed	2009 House Passed
\$25,705	\$33,938	\$33,938	\$33,938	\$0	\$0
	32.0%	0.0%	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: The executive proposes to consolidate GRF appropriation items 054-100, Personal Services, 054-200, Maintenance, and 054-300, Equipment into new appropriation item 054-321, Support Services.

GRF 054-300 Equipment

2004	2005	2006	2007 Estimate	2008 House Passed	2009 House Passed
\$0	\$1,856	\$1,856	\$1,856	\$0	\$0
		0.0%	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: The executive proposes to consolidate GRF appropriation items 054-100, Personal Services, 054-200, Maintenance, and 054-300, Equipment into new appropriation item 054-321, Support Services.

GRF 054-321 Support Services

2004	2005	2006	2007 Estimate	2008 House Passed	2009 House Passed
\$0	\$0	\$0	\$0	\$198,075	\$198,075
					0.0%

Source: GRF

Legal Basis: Section 317.10 of H.B. 119 of the 127th G.A., as proposed

Purpose: The executive proposes to consolidate GRF appropriation items 054-100, Personal Services, 054-200, Maintenance, and 054-300, Equipment into this line item.

GRF 054-401 Ombudsman

2004	2005	2006	2007 Estimate	2008 House Passed	2009 House Passed
\$291,247	\$291,247	\$291,247	\$291,247	\$291,247	\$291,247
	0.0%	0.0%	0.0%	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 Ombuds section. The Ombuds 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.

General Services Fund Group

416 054-601 Gifts and Donations

2004	2005	2006	2007 Estimate	2008 House Passed	2009 House Passed
\$0	\$0	\$0	\$1,352	\$0	\$0
			N/A		

Source: GSF: Income from staff speaking engagements

Legal Basis: Section 206.81 of Am. Sub. H.B. 66 of the 126th G.A. (originally established by Am. Sub. H.B. 204 of the 113th G.A.)

Purpose: These funds are used to provide protection and advocacy for disabled individuals with mental illness, mental retardation, and/or developmental disabilities.

5M0 054-610 Program Support

2004	2005	2006	2007 Estimate	2008 House Passed	2009 House Passed
\$129,694	\$36,293	\$3,800	\$75,000	\$81,352	\$81,352
	-72.0%	-89.5%	1873.7%	8.5%	0.0%

Source: GSF: Legal settlements and attorney fees

Legal Basis: Section 206.81 of Am. Sub. H.B. 66 of the 126th G.A. (originally established by the Controlling Board on May 22, 2000)

Purpose: These funds are used for costs associated with the program from which the settlement/attorney fees derived. The majority of the money currently in the fund originated from a settlement with the Ohio Department of Mental Retardation and Developmental Disabilities.

5M0 054-617 Martin Settlement

2004	2005	2006	2007 Estimate	2008 House Passed	2009 House Passed
\$0	\$0	\$0	\$0	\$0	\$0

Source: GSF: Legal Settlement

Legal Basis: Section 317.10 of H.B. 119 of the 127th G.A., as proposed

Purpose: These are one-time funds from the Martin Settlement that are used to fund program activities.

Federal Special Revenue Fund Group

305 054-602 Protection and Advocacy-Developmentally Disabled

2004	2005	2006	2007 Estimate	2008 House Passed	2009 House Passed
\$1,272,880	\$1,339,550	\$1,462,544	\$1,369,082	\$1,500,000	\$1,500,000
	5.2%	9.2%	-6.4%	9.6%	0.0%

Source: FED: CFDA 93.630, Administration on Developmental Disabilities-Basic Support and Advocacy Grants

Legal Basis: Section 206.81 of Am. Sub. H.B. 66 of the 126th G.A. (originally established by the Controlling Board on March 30, 1981)

Purpose: These funds are used to protect and advocate for the rights of people with developmental disabilities.

3AG 054-613 Protection/Advocacy-Voter Accessibility

2004	2005	2006	2007 Estimate	2008 House Passed	2009 House Passed
\$40,909	\$103,938	\$106,786	\$114,090	\$115,000	\$115,000
	154.1%	2.7%	6.8%	0.8%	0.0%

Source: FED: CFDA 93.618, Voting Access for Individuals with Disabilities-Grants for Protection and Advocacy Systems (Administration for Children and Families, U.S. Department of Health and Human Services)

Legal Basis: Section 206.81 of Am. Sub. H.B. 66 of the 126th G.A. (originally established by the Controlling Board on September 22, 2003)

Purpose: These funds are used protect and advocate for disabled individuals to ensure full participation in the electoral process.

3B8 054-603 Protection and Advocacy-Mentally Ill

2004	2005	2006	2007 Estimate	2008 House Passed	2009 House Passed
\$1,118,745	\$1,032,422	\$995,983	\$1,059,041	\$1,089,999	\$1,089,999
	-7.7%	-3.5%	6.3%	2.9%	0.0%

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

Legal Basis: Section 206.81 of Am. Sub. H.B. 66 of the 126th G.A. (originally established by the Controlling Board on November 11, 1986)

Purpose: These funds are used to protect and advocate for individuals with mental illness.

3CA 054-615 Work Incentives Planning and Assistance

2004	2005	2006	2007 Estimate	2008 House Passed	2009 House Passed
\$0	\$0	\$0	\$204,260	\$355,000	\$355,000
			N/A	73.8%	0.0%

Source: FED: CFDA 96.008, Work Incentives Plan and Assistance

Legal Basis: Originally established by the Controlling Board on October 20, 2006.

Purpose: These funds are used to disseminate accurate information and provide case management to beneficiaries of Social Security with disabilities to succeed in their return to work efforts.

3N3 054-606 Protection and Advocacy-Individual Rights

2004	2005	2006	2007 Estimate	2008 House Passed	2009 House Passed
\$523,219	\$581,447	\$541,176	\$550,283	\$560,000	\$560,000
	11.1%	-6.9%	1.7%	1.8%	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 206.81 of Am. Sub. H.B. 66 of the 126th G.A. (originally established by the Controlling Board on November 2, 1993)

Purpose: These funds are used to protect and advocate for disabled individuals who are not eligible for services funded by other federal grants.

3N9 054-607 Assistive Technology

2004	2005	2006	2007 Estimate	2008 House Passed	2009 House Passed
\$168,732	\$154,743	\$163,130	\$141,686	\$160,000	\$160,000
	-8.3%	5.4%	-13.1%	12.9%	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 206.81 of Am. Sub. H.B. 66 of the 126th G.A. (originally established by the Controlling Board on November 1, 1994)

Purpose: These funds are used to protect and advocate for individuals with disabilities who are in need of assistive technology devices.

3R9 054-604 Family Support Collaborative

2004	2005	2006	2007 Estimate	2008 House Passed	2009 House Passed
\$214,676	\$108,063	\$99,570	\$59,083	\$55,000	\$55,000
	-49.7%	-7.9%	-40.7%	-6.9%	0.0%

Source: FED: CFDA 93.630, Developmental Disabilities Basic Support and Advocacy Grants

Legal Basis: Section 206.81 of Am. Sub. H.B. 66 of the 126th G.A. (originally established by the Controlling Board on June 22, 1998)

Purpose: These funds are used to identify children 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.

3R9 054-616 Developmental Disability Publications

2004	2005	2006	2007 Estimate	2008 House Passed	2009 House Passed
\$0	\$0	\$0	\$65,000	\$130,000	\$130,000
			N/A	100.0%	0.0%

Source: FED: A grant of federal funds through the Ohio Developmental Disabilities Council

Legal Basis: Originally established by the Controlling Board on December 18, 2006.

Purpose: These funds are used to produce a quarterly newsletter for the Ohio Developmental Disabilities Council.

3T2 054-609 Client Assistance Program

2004	2005	2006	2007 Estimate	2008 House Passed	2009 House Passed
\$435,594	\$418,266	\$356,964	\$400,553	\$435,000	\$435,000
	-4.0%	-14.7%	12.2%	8.6%	0.0%

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

Legal Basis: Section 206.81 of Am. Sub. H.B. 66 of the 126th G.A. (originally established by Am. Sub. H.B. 283 of the 123rd G.A.)

Purpose: These funds are used to protect and advocate for disabled individuals receiving services through the Rehabilitation Service Commission's Bureau of Vocational Rehabilitation or Bureau of Services for the Visually Impaired.

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

2004	2005	2006	2007 Estimate	2008 House Passed	2009 House Passed
\$247,994	\$173,257	\$160,855	\$187,784	\$235,001	\$235,001
	-30.1%	-7.2%	16.7%	25.1%	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 206.81 of Am. Sub. H.B. 66 of the 126th G.A. (originally established by the Controlling Board on June 11, 2001)

Purpose: These funds are used protect and advocate for individuals receiving Supplemental Security Income or Social Security Disability Insurance 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.

3Z6 054-612 Traumatic Brain Injury

2004	2005	2006	2007 Estimate	2008 House Passed	2009 House Passed
\$74,742	\$74,087	\$81,374	\$65,137	\$70,000	\$70,000
	-0.9%	9.8%	-20.0%	7.5%	0.0%

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

Legal Basis: Section 206.81 of Am. Sub. H.B. 66 of the 126th G.A. (originally established by the Controlling Board on October 28, 2002)

Purpose: The funds are used to protect and advocate for individuals with traumatic brain injuries.

State Special Revenue Fund Group

5AE 054-614 Grants and Contracts

2004	2005	2006	2007 Estimate	2008 House Passed	2009 House Passed
\$16,526	\$49,504	\$75,689	\$114,834	\$100,000	\$100,000
	199.6%	52.9%	51.7%	-12.9%	0.0%

Source: SSR: Revenue from various contracts and non-federal grants.

Legal Basis: Section 206.81 of Am. Sub. H.B. 66 of the 126th G.A. (originally established by the Controlling Board on March 8, 2004).

Purpose: These funds are used to fulfill individual grant and contract obligations.

LSC Budget Spreadsheet by Line Item, FY 2008 - FY 2009

<i>Fund ALI ALI Title</i>	<i>Estimated 2007</i>	<i>As Introduced 2008</i>	<i>House Passed 2008</i>	<i>% Change Est. 2007 to House 2008</i>	<i>As Introduced 2009</i>	<i>House Passed 2009</i>	<i>% Change House 2008 to House 2009</i>
LRS Legal Rights Service							
GRF 054-100 Personal Services	\$162,281	\$ 0	\$ 0	-100.0%	\$ 0	\$ 0	N/A
GRF 054-200 Maintenance	\$33,938	\$ 0	\$ 0	-100.0%	\$ 0	\$ 0	N/A
GRF 054-300 Equipment	\$1,856	\$ 0	\$ 0	-100.0%	\$ 0	\$ 0	N/A
GRF 054-321 Support Services	\$0	\$ 198,075	\$ 198,075	N/A	\$ 198,075	\$ 198,075	0.0%
GRF 054-401 Ombudsman	\$291,247	\$ 291,247	\$ 291,247	0.0%	\$ 291,247	\$ 291,247	0.0%
General Revenue Fund Total	\$ 489,322	\$ 489,322	\$ 489,322	0.0%	\$ 489,322	\$ 489,322	0.0%
416 054-601 Gifts and Donations	\$1,352	\$ 0	\$ 0	-100.0%	\$ 0	\$ 0	N/A
5M0 054-610 Program Support	\$75,000	\$ 81,352	\$ 81,352	8.5%	\$ 81,352	\$ 81,352	0.0%
5M0 054-617 Martin Settlement		\$ 150,000	\$ 0	N/A	\$ 0	\$ 0	N/A
General Services Fund Group Total	\$ 76,352	\$ 231,352	\$ 81,352	6.5%	\$ 81,352	\$ 81,352	0.0%
305 054-602 Protection and Advocacy-Developmentally Disabled	\$1,369,082	\$ 1,500,000	\$ 1,500,000	9.6%	\$ 1,500,000	\$ 1,500,000	0.0%
3AG 054-613 Protection/Advocacy-Voter Accessibility	\$114,090	\$ 115,000	\$ 115,000	0.8%	\$ 115,000	\$ 115,000	0.0%
3B8 054-603 Protection and Advocacy-Mentally Ill	\$1,059,041	\$ 1,089,999	\$ 1,089,999	2.9%	\$ 1,089,999	\$ 1,089,999	0.0%
3CA 054-615 Work Incentives Planning and Assistance	\$204,260	\$ 355,000	\$ 355,000	73.8%	\$ 355,000	\$ 355,000	0.0%
3N3 054-606 Protection and Advocacy-Individual Rights	\$550,283	\$ 560,000	\$ 560,000	1.8%	\$ 560,000	\$ 560,000	0.0%
3N9 054-607 Assistive Technology	\$141,686	\$ 160,000	\$ 160,000	12.9%	\$ 160,000	\$ 160,000	0.0%
3R9 054-604 Family Support Collaborative	\$59,083	\$ 55,000	\$ 55,000	-6.9%	\$ 55,000	\$ 55,000	0.0%
3R9 054-616 Developmental Disability Publications	\$65,000	\$ 130,000	\$ 130,000	100.0%	\$ 130,000	\$ 130,000	0.0%
3T2 054-609 Client Assistance Program	\$400,553	\$ 435,000	\$ 435,000	8.6%	\$ 435,000	\$ 435,000	0.0%
3X1 054-611 Protection and Advocacy for Beneficiaries of Social Security	\$187,784	\$ 235,001	\$ 235,001	25.1%	\$ 235,001	\$ 235,001	0.0%
3Z6 054-612 Traumatic Brain Injury	\$65,137	\$ 70,000	\$ 70,000	7.5%	\$ 70,000	\$ 70,000	0.0%
Federal Special Revenue Fund Group Total	\$ 4,215,999	\$ 4,705,000	\$ 4,705,000	11.6%	\$ 4,705,000	\$ 4,705,000	0.0%
5AE 054-614 Grants and Contracts	\$114,834	\$ 100,000	\$ 100,000	-12.9%	\$ 100,000	\$ 100,000	0.0%
State Special Revenue Fund Group Total	\$ 114,834	\$ 100,000	\$ 100,000	-12.9%	\$ 100,000	\$ 100,000	0.0%

LSC Budget Spreadsheet by Line Item, FY 2008 - FY 2009

<i>Fund</i>	<i>ALI</i>	<i>ALI Title</i>	<i>Estimated 2007</i>	<i>As Introduced 2008</i>	<i>House Passed 2008</i>	<i>% Change Est. 2007 to House 2008</i>	<i>As Introduced 2009</i>	<i>House Passed 2009</i>	<i>% Change House 2008 to House 2009</i>
<i>LRS</i>		<i>Legal Rights Service</i>							
<i>Total All Budget Fund Groups</i>			<i>\$ 4,896,507</i>	<i>\$ 5,525,674</i>	<i>\$ 5,375,674</i>	<i>9.8%</i>	<i>\$ 5,375,674</i>	<i>\$ 5,375,674</i>	<i>0.0%</i>

As Introduced (Executive)	As Passed by the House
<p>1 (CD-991-LRS) Legal Rights Service Records</p> <p>No provision.</p> <p>No provision.</p>	<p>R.C. 5123.60, 5123.602, 5123.603</p> <p>Removes specific provisions in statute regarding the access of the Legal Rights Service to the records of providers of services to mentally ill, mentally retarded, and developmentally disabled persons and instead requires access to those records to be in accordance with federal law.</p> <p>Requires the Legal Rights Service to maintain information confidentially in accordance with the law that applies to that information.</p> <p>Fiscal effect: None.</p>
<p>2 (CD-996-LRS) Determination of MR/DD Status</p> <p>No provision.</p>	<p>R.C. 5123.60</p> <p>Removes a requirement that the Legal Rights Service determine who is a "mentally retarded person" or "developmentally disabled person" and applies existing definitions of "mentally retarded person" and "developmentally disabled person" to the law governing the Legal Rights Service.</p> <p>Fiscal effect: None.</p>
<p>3 (CD-999-LRS) Legal Rights Service Clients</p> <p>No provision.</p>	<p>R.C. 5123.60</p> <p>Provides that individuals represented by the Legal Rights Service are its clients.</p> <p>Fiscal effect: Unknown.</p>

As Introduced (Executive)

As Passed by the House

4 (CD-998-LRS) Legal Rights Service Ombudsperson

No provision.

R.C. 5123.604, 5123.602, 5123.603

Removes a requirement that the Department of Mental Health notify the Legal Rights Service Ombudsperson of major unusual incidents or life threatening situations involving mentally ill persons and instead requires the Department to notify the Ombudsperson of reportable incidents.

Fiscal effect: This provision will decrease the number of incidents Legal Rights Service investigates.

5 (CD-829-LRS) Program Income Fund for Legal Rights Service

R.C. 5123.605

Creates the Program Income Fund in the state treasury. Revenue generated from settlements, gifts, donations, and other sources of legal rights service program income will be credited to the fund. The fund must be used to support Legal Rights Service programs for purposes from which the income was derived or for the general support of Legal Rights Service programs.

Fiscal effect: This provision codifies existing language.

R.C. 5123.605

Same as the Executive.

Fiscal effect: Same as the Executive.

6 (CD-828-LRS) Martin Consent Order Compliance

Section: 317.10

Requires that, to comply with the Martin Consent Order, on July 1, 2007, or as soon as possible thereafter, the Director of Budget and Management transfer \$150,000 in cash from the General Revenue Fund to the Program Income Fund (Fund 5MO).

Section: 337.30.45

No provision in Legal Rights Service, but moves the appropriation to and provides for the same transfer in the Department of Mental Retardation.