

Executive

**DDDCD19 Interagency Workgroup on Autism**

R.C. 5123.0419

Designates the entity contracted by ODE to administer programs and services for individuals with autism and low incidence disabilities as the coordinating body for the Interagency Workgroup on Autism. Requires the workgroup to submit an annual report to the DODD Director. Requires the workgroup to meet at least twice per year.

**DDDCD16 Obsolete DODD report**

R.C. 5123.195, (Repealed)

Repeals the law requiring DODD to report to the General Assembly at the end of 2003, 2004, and 2005 regarding the implementation of changes to the law governing residential facility licensure.

**DDDCD20 Developmental Disabilities Council meetings**

R.C. 5123.35

Eliminates the prerequisite that, for a Developmental Disabilities Council member to attend a council meeting remotely, roll call votes be taken for each vote.

Eliminates the Council's duty to establish geographic restrictions for a council member's remote participation.

**DDDCD21 ICF/IID Medicaid day payment rate peer group**

R.C. 5124.01

Creates a new peer group for ICF/IID Medicaid day payment rate determinations that consists of any ICF/IID that has: (1) a Medicaid certified capacity not exceeding six, (2) a contract that allows DODD to approve all new admissions, (3) agreed to the established payment methodology, and (4) has an approved best practices protocol for providing services to youth up to age 21 in need of intensive behavior support services.

**Fiscal effect: Any increased costs will depend on the amount of time needed for providers to bring facilities on line and the number of youth needing services and the complexity of their needs.**

**DDDCD22 ICF/IID payment rate**

R.C. 5124.15

Increases the ICF/IID per Medicaid day payment rate by adding to the formula a professional workforce development payment amount, equal to 6.5% of the ICF/IID's direct care costs.

**Fiscal effect: Depends on future cost reports. DODD projects a potential annual increase of \$25 million (all funds) on top of the payment rate.**

Executive

**DDDCD15 Recoupment for ICF/IID downsizing delay**

R.C. 5124.45, Repealed: 5124.39

Repeals law generally requiring DODD to recoup payments from an ICF/IID that received approval to downsize but failed to do so by July 1, 2018, under a program that no longer exists.

**DDDCD17 County DD board membership**

R.C. 5126.022

Requires each county board of developmental disabilities to include at least one individual eligible to receive services provided by the board, in addition to two other such individuals or immediate family members of such individuals.

**DDDCD1 Special Olympics**

Section: 261.20

Requires GRF ALI 320411, Special Olympics, be distributed to the Special Olympics of Ohio.

**DDDCD2 Developmental Disabilities Facilities Lease-Rental Bond Payments**

Section: 261.30

Requires DODD to use GRF ALI 320415, Developmental Disabilities Facilities Lease Rental Bond Payments, to meet all payments pursuant to leases and agreements made under state law regarding capital facilities.

Specifies that these appropriations are the source of funds pledged for bond service charges on obligations issued for certain capital facilities.

**DDDCD3 Multi-System Youth**

Section: 261.40

Permits a portion of GRF ALI 322422, Multi-System Youth, to be used to provide a subsidy to eligible county DD boards for the provision of respite services and other services and supports for youth with complex or multi-system needs.

Requires that the DODD Director establish the total amount available for the subsidy, a formula for distributing the subsidy, and the eligibility requirements that must be satisfied to receive the subsidy.

Earmarks up to \$1,000,000 in each fiscal year in GRF ALI 322422, Multi-System Youth, to be provided to OhioMHAS to assist in the support of the Child and Adolescent Behavioral Health Center of Excellence at Case Western Reserve University.

Executive

**DDDCD4 Technology First Initiative**

**Section: 261.45**

Permits a portion of GRF ALI 322423, Technology First Initiative, be used to increase access and utilization of innovative technology for people with developmental disabilities.

**Fiscal effect: Appropriates \$6 million in each fiscal year for this program.**

**DDDCD5 Employment First Initiative**

**Section: 261.50**

Requires that GRF ALI 322508, Employment First Initiative, be used to increase employment opportunities for individuals with developmental disabilities through the existing Employment First Initiative.

Requires the DODD Director in each fiscal year to transfer from GRF ALI 322508, to the Opportunities for Ohioans with Disabilities Agency (OOD), an amount agreed upon by the DODD Director and the OOD Executive Director to support the Employment First Initiative and requires that the transfer be made via an intrastate transfer voucher.

Requires OOD to use the funds transferred as state matching funds to obtain available federal grant dollars for vocational rehabilitation services, and requires that any federal match dollars received by OOD be used for the initiative.

Requires the DODD Director and the OOD Executive Director to enter into an interagency agreement that will specify the responsibilities of each agency under the initiative, and specifies that OOD must retain responsibility for eligibility determination, order of selection, plan approval, plan amendment, and release of vendor payments.

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

**Fiscal effect: Potential gain in federal vocational rehabilitation (VR) dollars to OOD in each fiscal year depending upon the amount that is transferred to OOD.**

**DDDCD6 Community Supports and Rental Assistance**

**Section: 261.60**

Allows the DODD Director to use GRF ALI 322509, Community Supports and Rental Assistance, to provide funding to county DD boards for rental assistance to people with developmental disabilities receiving home and community-based services and to people with developmental disabilities who enroll in a Medicaid waiver component providing home and community-based services after receiving preadmission counseling.

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

Executive

**DDDCD7 Medicaid Services**

**Section: 261.70**

Requires GRF ALI 653407, Medicaid Services, to be used for the following: (1) to fund home and community-based services; (2) to implement the requirements of the agreements settling the consent decrees in Sermak v. Manuel and Martin v. Strickland; (3) ICF/IID services; and (4) other programs identified by the DODD Director.

**DDDCD8 Central Office Operating Expenses**

**Section: 261.80**

Earmarks \$100,000 in each fiscal year in Fund 5GE0 ALI 322606, Central Office Operating Expenses, to be provided to the Ohio Center for Autism and Low Incidence to establish a lifespan autism hub to support families and professionals.

**DDDCD9 County board share of waiver services**

**Section: 261.100**

Requires the DODD Director to establish a methodology to be used in FY 2024 and FY 2025 to estimate the quarterly amount each county DD board is to pay of the nonfederal share of home and community-based services for which the county board is responsible.

Requires the DODD Director to provide written notice of the amount owed by each county DD board for each quarter and also specify when the payment is due.

**Fiscal effect: Potential administrative costs to establish the methodology.**

**DDDCD10 Withholding of funds owed the Department**

**Section: 261.110**

Permits DODD to withhold any amount due to a county DD board if the county DD board does not fully pay any amount owed to DODD by the due date established by DODD. Allows the DODD Director to transfer cash to any other fund used by DODD in an amount equal to the amount owed to DODD that the county DD board did not pay. Requires that these transfers be made using an intrastate transfer voucher.

**Fiscal effect: Any impact will depend on how much county DD boards do not pay in full amounts owed.**

Executive

**DDDCD11 DODD innovative pilot projects**

**Section: 261.120**

Permits the DODD Director to authorize the continuation or implementation of innovative pilot projects that are likely to assist in promoting the objectives of state law governing DODD and county DD boards.

Requires the DODD Director, before authorizing a pilot project, to consult with entities interested in the issue of developmental disabilities, including the Ohio Provider Resource Association, the Ohio Association of County Boards of Developmental Disabilities, the Ohio Health Care Association/Ohio Centers for Intellectual Disabilities, the Values and Faith Alliance, and ARC of Ohio.

Prohibits the DODD Director from authorizing a pilot project to be implemented in a manner that would cause the state to be out of compliance with any requirements for a program funded in whole or in part with federal funds.

**Fiscal effect: None.**

**DDDCD12 Nonfederal share of ICF/IID services**

**Section: 261.130**

Requires the DODD Director to pay the nonfederal share of a claim for ICF services using funds otherwise allocated to county DD boards if (1) Medicaid covers the services, (2) the services are provided to a Medicaid recipient who is eligible for the services and who does not occupy a bed in the ICF that used to be included in the Medicaid-certified capacity of another ICF certified before June 1, 2003, (3) the services are provided by an ICF whose Medicaid certification was initiated or supported by a county DD board, and (4) the provider has a valid Medicaid provider agreement for the time the services are provided.

Requires the DODD Director to use certain funds from GRF ALI 653407, Medicaid Services, to pay any claims.

**DDDCD13 Payment rates for homemaker/personal care services provided to qualifying IO enrollees**

**Section: 261.140**

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

Specifies that portions of GRF ALI 653407, Medicaid Services, and Fund 3A40 ALI 653654, Medicaid Services, are to be used to pay the Medicaid payment rate determined for routine homemaker/personal care services provided to qualifying IO enrollees.

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

Executive

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**DDDCD14 Competitive wages for direct care workforce of Medicaid services**

**Section: 261.150**

Requires provider rate increases be used for increased wages and needed workforce supports.

Provides that the increased wages and workforce supports are to be funded from the DODD, ODM, and ODA budgets.

**Fiscal effect: Estimated annual impact of \$375 million (all funds).**

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**DDDCD18 Direct Support Professional Quarterly Retention Payments Program**

**Section: 261.160**

Establishes the Direct Support Professional Quarterly Retention Payments Program to be administered by DODD during FY 2024 and FY 2025.

Allows a portion of Fund 5Z10 ALI 653624, County Board Waiver Match, and Fund 3A40 ALI 653654, Medicaid Services, to be used for the program.

**Fiscal effect: This provision is a continuation of current policy. The fiscal impact depends on waiver service claims paid in each quarter of the fiscal year.**

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Executive

**OBMCD12 Eliminate certain reporting requirements**

R.C. 126.30, 131.02, 153.17, 3333.021, 3333.12, 3333.122, 5123.0412, 5727.28, 5727.42, 5727.91, Repealed: 131.38

Eliminates the following reporting requirements for agencies to submit certain information to OBM:

- (1) Interest charges paid related to an agency's purchase or lease of goods or services;
- (2) Unpaid amounts due to the state that an agency is unable to collect;
- (3) Information on segregated custodial funds maintained by an agency;
- (4) Notification, by the owner of a public work, of execution of a takeover contract for the takeover of a defaulted public works contract;
- (5) Refunds of certain higher education grants provided by ODHE;
- (6) Tax refunds to certain entities.

Removes OBM from the list of recipients required to receive a fiscal analysis prior to the implementation of any action or adoption of a rule by the ODHE Chancellor expected to have an effect on the revenue or expenditures of any university.

Removes the requirement that DODD submit an annual report to OBM on the use of the DODD's Administration and Oversight Fund.

**Fiscal effect: Negligible reduction in statewide agency expenditures due to reduced reporting requirements.**

Executive

**KIDCD1    Creation of the Department of Children and Youth**

**R.C.        5180.01, 121.02, 121.03, 121.35, 121.37, 121.40, 3109.15-3109.17, 3109.179, 5101.34-5101.342, 5180.02, Sections 130.10-103.16 and 423.140**

Creates DCY on July 1, 2023, to serve as the state's primary children's services agency and establishes the position of DCY Director.

Requires DCY to facilitate and coordinate the delivery of children's services in Ohio.

Addresses the transfer of duties to DCY relating to children's services, including by doing the following:

(1) Requiring specified Directors (DCY, ODJFS, ODE, ODH, DODD, ODM, OhioMHAS, and DEV), or their designees, to identify and develop a plan to transfer children's services duties, functions, programs, and staff to DCY by January 1, 2025.

(2) Transferring to the new DCY 90 days after the bill's effective date responsibilities currently charged to ODJFS regarding the Ohio Family and Children First Cabinet Council, the Children's Trust Fund Board, and the Ohio Commission on Fatherhood.

Requires the OBM Director to make budget and accounting changes to implement the transfer of duties, functions, and programs to DCY, including renaming, transferring, creating, and consolidating funds. Allows the OBM Director to also cancel or establish encumbrances and transfer appropriations between impacted agencies as necessary. Appropriates any encumbrances.

**Fiscal effect: There will be administrative costs to develop a plan to facilitate this transfer. There will also be costs to establish the office (e.g. office space, supplies, etc.). Staff will be transferred from other impacted agencies, so associated personnel costs will instead be reflected in DCY's budget.**

**KIDCD14    Community Social Service Programs**

**Section:    423.110**

Allows a portion of Fund 3250 ALI 830609, Community Social Service Programs, in coordination with DODD, to be used by the Early Intervention Services Advisory Council for the following purposes, in addition to other necessary and allowed uses of funds: (1) conduct forums and hearings; (2) reimburse council members for certain reasonable and necessary expenses; (3) pay compensation to a council member if the member is not employed or must forfeit wages when performing official council business; (4) hire staff; and (5) obtain the services of professional, technical, and clerical personnel as necessary.

Specifies that council members must otherwise serve without compensation or reimbursement.



Executive

**GOVCD3 Electronic notification, meeting, and data storage law changes**

R.C. 127.15, 173.03, 753.19, 1121.38, 1509.06, 1513.071, 1513.08, 1513.16, 1565.12, 1571.05, 1571.08, 1571.10, 1571.14, 1571.15, 1571.16, 1707.02, 1707.04, 1707.042, 1707.091, 1707.11, 1707.43, 1733.16, 2941.401, 3111.23, 3301.05, 3302.04, 3310.521, 3313.41, 3313.818, 3314.21, 3319.081, 3319.11, 3319.16, 3319.291, 3319.311, 3321.13, 3321.21, 3704.03, 3734.02, 3734.021, 3734.575, 3746.09, 3752.11, 3772.031, 3772.04, 3772.11, 3772.12, 3772.13, 3772.131, 3781.08, 3781.11, 3781.25, 3781.29, 3781.342, 3904.08, 4121.19, 4123.512, 4123.52, 4125.03, 4141.09, 4141.47, 4167.10, 4301.17, 4301.30, 4303.24, 4507.081, 4508.021, 4509.101, 4510.03, 4510.41, 4735.13, 4735.14, 5107.161, 5120.14, 5165.193, 5165.86, 5166.303, 5168.08, 5168.22, 5168.23, 5525.01, 5703.37, 5709.83, 5736.041, 5751.40, 1509.031, 3745.019, Repealed: R.C. 5123.195

Implements a 2020 initiative of the Common Sense Initiative to make changes throughout the Revised Code to partly reflect the advancements in technology related to notifications, meetings, data storage, and certain other government functions. (For more detailed analysis of these changes, please see the Electronic Notification and Meetings section (pages 311-338) of the LSC Bill Analysis for H.B. 33.)

Makes specific changes, including removal of obsolete provisions, to facilitate the use of electronic communications, including websites, in the daily operations for the following entities: CAC, COM, DODD, ODE, Ohio EPA, INS, ODJFS, ODPS, PUCO, TAX, ODOT, and ODWIS.

Modifies the type of communication media through which a required notice of events or services may be made by generally adding the option of electronic, including email, delivery or mail delivery by a commercial/common carrier and removing the outdated telegraph method for the following entities: CEB, CAC, COM, ODE, Ohio EPA, ODJFS, ODM, ODNR, PUCO, DRC, ODWIS, and municipalities.

Permits meeting via electronic means, instead of in-person meetings, on specified matters provided that the meetings still allow for interactive public attendance for the following entities: Ohio Advisory Council for the Aging, Internet- or computer-based community schools, school districts or other public schools, ODPS-Register of Motor Vehicles, counties, townships, and municipalities.

Permits or requires the establishment of electronic means of submission for such services as licensure, approvals, and other by the following entities: ODNR’s Division of Oil and Gas Resources Management, school districts, ODE, solid waste management districts, and courts of record.

Modifies or removes references related to creating or retaining stenographic records of certain proceedings for the following entities: COM, ODNR, ODE, school districts, Ohio EPA, and ODWIS.

**Fiscal effect: TAX has estimated savings of approximately \$3.4 million per year for the agency. Ohio EPA has estimated annual savings of over \$750,000. Other affected state agencies will also likely realize some administrative cost savings as will affected local governments.**

Executive

**MCDCD14 Home and community based services appropriations - state**

**Section: 333.150**

Permits the OBM Director to authorize additional expenditures in Fund 5HC8 ALIs 651698, MCD Home and Community Based Services, 653698, DDD Home and Community Based Services, 652698, MHA Home and Community Based Services, 655698, JFS Home and Community Based Services, and 656698, AGE Home and Community Based Services, conditional on the additional expenditures being offset by equal expenditure reductions in another of these identified ALIs.

Stipulates that any additional expenditures shall be used in accordance with federal rules and shall comply with ODM's Medicaid state plan approved by the federal government. Appropriates any additional expenditures.

**MCDCD15 Home and community based services appropriations - federal**

**Section: 333.160**

Permits the OBM Director to authorize additional expenditures in Fund 3HC8 ALIs 651699, MCD Home and Community Based Services – Federal, 653699, DDD Home and Community Based Services – Federal, 652699, MHA Home and Community Based Services – Federal, 655699, JFS Home and Community Based Services – Federal, and 656699, AGE Home and Community Based Services – Federal, conditional on the additional expenditures being offset by equal expenditure reductions in another of these identified line items.

Stipulates that any additional expenditures be used in accordance with federal rules and comply with ODM's Medicaid state plan approved by the federal government. Appropriates any additional expenditures.

**MCDCD22 Competitive wages for direct care workforce of Medicaid services**

**Section: 333.230**

Requires ODM, in collaboration with ODA and DODD, to use provider rate increase funding included in the bill to ensure workforce stabilities and greater access to care for Medicaid recipients through increased wages and workforce supports.