LEGISLATIVE SERVICE COMMISSION

- Transfers legislative oversight of the state's Medicaid program from the Joint Medicaid Oversight Committee (JMOC) to the standing committees in the House and Senate that primarily consider Medicaid legislation and support for that work from JMOC staff to LSC.
- Requires LSC to research and review Medicaid reports, legislation, and other related materials and present this information to the standing Medicaid committees at joint meetings of the committees.
- Requires LSC, instead of JMOC, to contract biennially with an actuary to calculate the projected medical inflation rate and for the standing committees, rather than JMOC, to approve or reject the actuary's calculated rate.
- Updates and modernizes LSC duties related to rule codification and maintaining a uniform Ohio Administrative Code.
- Transfers from LSC's administrative rules to statute the required formats for presenting changes in bills and resolutions.
- Abolishes four LSC funds and transfers the cash balances to the GRF.

Transfer of Medicaid oversight to Medicaid committees and LSC

(R.C. 103.13, 103.41 through 103.412; Section 525.70; conforming changes in 103.65, 121.93, 355.04, 3901.90, 5119.89, 5162.08, 5162.13, 5162.132, 5162.133, 5162.134, 5162.136, 5162.1310, 5162.70, 5162.82, 5163.04, 5167.24, 5168.90, 5180.17, and 5180.20; Sections 209.20, 313.10, 313.20, 333.85, 751.70, 751.111, and 751.130)

The act transfers legislative oversight of the state's Medicaid program from the Joint Medicaid Oversight Committee (JMOC) to the standing committees in the House and Senate that primarily consider Medicaid legislation. Relatedly, support for the oversight work transfers from JMOC's staff to LSC staff. The act calls for the standing committees to meet jointly, at the call of the House chairperson in even-numbered years and the Senate chairperson in odd-numbered years. At the committees' request, LSC staff will prepare and present Medicaid updates and research to the committees during the joint meetings. Additionally, LSC will take over the responsibility of contracting with an actuary to calculate the projected medical inflation rate each fiscal biennium and work with the standing committees to relay that recommended rate to the Governor ahead of the Governor's biennial budget recommendation.

The act abolishes JMOC effective September 29, 2025. JMOC acted as a standalone, joint legislative committee with its own executive director and staff. For more detailed information on JMOC's set up and operations prior to the act, please consult its enacting legislation, S.B. 206 of the 130th General Assembly (2013).[102]

[102] Available on the General Assembly's website, legislature.ohio.gov.

LSC presentations to standing committees

At the request of the chairperson who calls the joint meeting and to assist the standing committees, LSC staff must research, review, and summarize the following to the joint standing committees:

- How the Medicaid program relates to the public and private provision of health care coverage in Ohio and the U.S.;
- Reports received by LSC from agencies that participate in the Medicaid program;
- Policies and strategies related to:
  - Medicaid recipients being able to join and stay in the workforce and becoming self-sufficient;
  - Less use of the Medicaid program.
- Newly adopted Medicaid rules;
- Pending Ohio Medicaid legislation;
- Medicaid legislation and innovation in other states;
- Local Healthier Buckeye Council reports submitted to LSC.

Actuary contract – medical inflation rate

The act transfers to LSC the duty to contract every other year with an actuary to determine the projected medical inflation rate for the upcoming fiscal biennium. The Medicaid Director is required to limit growth of the Medicaid program to the projected medical inflation rate or an alternate rate under continuing law.[103] Once LSC receives the actuary's report, LSC must share the report with the standing committees. The committees, acting jointly, must then determine whether they agree with the actuary's recommended inflation rate. If they do not, they will work with LSC to determine a different inflation rate.

At least 90 days before the Governor is required to submit a state budget for the upcoming fiscal biennium to the General Assembly (between mid-November to mid-December of each even-numbered year, depending on whether the Governor is newly elected), LSC must submit a report to the Governor, Medicaid Director, and the standing committees that includes:

1. The projected medical inflation rate recommended by the standing committees;

2. If the committees recommended an alternate rate to the actuary's proposal, an explanation for rejecting the actuary's rate;

3. A copy of the actuary's report.

[103] R.C. 5162.70.

Conforming changes

The act transfers the remainder of JMOC's duties either to the standing Medicaid committees or to LSC. Examples of transferred duties mostly involve receiving reports, such as:

1. Local Healthier Buckeye Council reports (R.C. 355.04);

2. Medicaid coverage of doula services reports and the data used to calculate the information in the report (R.C. 5162.13);

3. Medicaid cost containment reform reports (R.C. 5162.70).

Ohio Administrative Code duties

(R.C. 103.05, 111.15, and 119.04)

The act updates the law governing LSC's duties to advise and oversee the preparation and codification of administration rules adopted by state agencies. In general, the act carries over to statute much of the duties expressed in LSC administrative rules on these matters, but also makes updates to reflect electronic versus paper rule filing practices. In 2017, a major update to the electronic rule filing system used by agencies led to process changes that were not reflected in the statute. The act's changes address the following:

- Require the LSC Director to publish and revise, as needed, a Rule Drafting Manual that takes into account the principles of statutory construction and provides basic rule drafting information for filers to follow;
- Clarify the procedures for how and when LSC reviews rules that have been filed for compliance with the Manual and how rules that are not in compliance are addressed with the filer.

Publishing the O.A.C.

The act updates LSC's statutory duties in publishing the Ohio Administrative Code (O.A.C.) to reflect electronic publishing. In 2018, the General Assembly designated LSC as the official publisher of the Ohio Revised Code and O.A.C. as part of Ohio's adoption of the Uniform Electronic Legal Materials Act (UELMA).[104] The act conforms LSC's statutory duties with UELMA, but retains the current law pathway for other publishers to publish an "acceptable" version of the O.A.C. if the LSC Director determines it meets standards prescribed in statute, which are unchanged by the act. Moreover, the act deletes standards authorizing the Director to publish some rules in the O.A.C. by number and title only, omitting the text. This practice, formerly known as "rules by reference," was discontinued in electronic publishing.

[104] S.B. 139 of the 132nd General Assembly, R.C. 149.21 to 149.27, not in the act.

Format for bills and resolutions

(R.C. 101.53)

The act transfers from LSC administrative rules[105] to statute the formats for how changes to the law are presented in bills and resolutions. There is no change to the required formatting in the transfer.

Abolishment of LSC funds

(Repealed R.C. 103.053, 103.054, and 103.24; conforming change in R.C. 103.051; Section 516.10)

The act abolishes the following funds used by LSC and transfers the cash balances to the GRF:

Abolished LSC funds	
Fund name	**Purpose**
Sale of Publications Fund	Support the publication of LSC documents
Legislative Budget Services Fund	Previously funded health care analysis services by LSC, but the funding was discontinued in 2015[106]
Legislative Agency Telephone Usage Fund	Pay telephone carriers for telephone calls made by legislative agencies
Register of Ohio Fund	Defray costs of publishing the Register of Ohio

[105] O.A.C. 103-5-01 and 103-5-02.

[106] H.B. 64 of the 131st General Assembly, the FY 2016-FY 2017 biennial appropriations act.