



COMPARISON DOCUMENT

Substitute House Bill 91 *125th General Assembly*

Representative Ron Young, Sponsor

Bureau of Workers' Compensation
Appropriations Bill

As Introduced

As Passed by the House

As Reported by Senate Insurance, Commerce, and Labor

Legislative Service Commission

April 8, 2003

As Introduced

As Passed by the House

As Reported by Senate Insurance,
Commerce, and Labor

1 Confidentiality of Information

R.C. 2305.24, 2305.25

Clarifies that any information, data, or record submitted to a quality assurance committee or utilization committee of BWC for the purpose of reviewing the professional qualifications and performance of a medical provider is confidential and is to be used only for the exercise and proper function of the committee.

No change.

No change.

Fiscal Effect: None.

2 Industrial Commission Operating Fund

R.C. 4121.021, 4123.31, 4123.342

Creates the Industrial Commission Operating Fund and specifies that money in the fund be used for costs that are solely attributable to the activities of the Commission. Under R.C. 4123.342, as amended by the bill, the Administrator of BWC is to separately calculate employers' assessments for those costs solely attributable to the Industrial Commission and for those costs solely attributable to the Bureau, and then is to divide the assessments collected into two administrative assessment accounts within the State Insurance Fund. Upon authorization from the Industrial Commission, the Administrator is to transfer moneys from the assessment account designated for the Industrial Commission into the newly created Industrial Commission Operating Fund.

No change.

No change.

Fiscal Effect: This provision will allow BWC and the Industrial Commission to maintain direct control over their respective operating funds and will more clearly differentiate the costs of the services provided by each agency.

As Introduced

As Passed by the House

As Reported by Senate Insurance,
Commerce, and Labor

3 Provision of Office Space to the Industrial Commission

R.C. 4121.121

Eliminates a provision that requires the Administrator of BWC to provide office space for Industrial Commission service offices.

No change.

No change.

Fiscal Effect: In keeping with the separation of funds for the two agencies, the Industrial Commission will provide for office space itself.

4 Balance Billing by Noncertified Health Care Providers

No provision.

Prohibits health care providers who are not certified from charging an employee, employer, managed care organization, or BWC any amount for covered services or supplies above the allowed amount paid. Current law prohibits this use of "balance billing" by certified health care providers.

No change.

Fiscal Effect: The provision would result in slight savings for BWC, as it would no longer have to expend staff time and resources investigating employee complaints of balance billing by noncertified health care providers. Injured workers would receive the most savings.

As Introduced

As Passed by the House

As Reported by Senate Insurance,
Commerce, and Labor**5 Religious Sect Exemption****R.C. 4123.15, 4123.01**

Allows an employer who is a member and adherent of a religious sect that is opposed to accepting public or private insurance benefits related to various events, such as death, disability, or impairment, to apply to BWC for an exemption from payment of workers' compensation premiums and assessments, or in the case of a self-insured employer, from payment of direct compensation and benefits, on account of an employee who is also a member of that religious sect. This provision would apply most readily to employers of the Amish community.

Fiscal Effect: Minimal. Although BWC would collect fewer premium and assessment payments, the agency would also not be responsible for paying workers' compensation claims for these employers.

No change.

No change.

As Introduced

As Passed by the House

As Reported by Senate Insurance,
Commerce, and Labor**6 Fund Balances****Sections 3, 4**

Authorizes the Director of Budget and Management to transfer cash balances from the Workers' Compensation Fund (Fund 023) to the newly created Industrial Commission Operating Fund (Fund 5W3) and to cancel existing encumbrances in Fund 023 and re-establish these encumbrances in Fund 5W3 on behalf of the Industrial Commission. A separate provision specifically authorizes the Director of Budget and Management to transfer existing encumbrances in appropriation items 845-321, Operating Expenses, 845-402, Rent - William Green Building, and 845-410, Attorney General Payments from Fund 023 to Fund 5W3.

Section: 3, 4

No change.

Section: 3, 4

No change.

7 Vocational Rehabilitation**Section: 3**

Requires the Administrator of BWC to provide \$587,774 in FY 2004 and \$605,407 in FY 2005 from the State Insurance Fund for vocational rehabilitation services and staff in accordance with an agreement the Bureau is to negotiate with the Rehabilitation Services Commission.

Section: 3

No change.

Section: 3

No change.

8 William Green Lease Payments**Section: 3**

Prescribes the manner in which funds in appropriation item 855-401, William Green Lease Payments to OBA, are to be expended. Over the biennium, up to \$37,974,226 is available for this purpose.

Section: 3

No change.

Section: 3

No change.

As Introduced

As Passed by the House

As Reported by Senate Insurance,
Commerce, and Labor**9 Workers' Compensation Fraud Unit****Section: 3**

Requires that in both FY 2004 and 2005, BWC transfer \$773,151 to the Attorney General's Workers' Compensation Fraud Unit (Fund 195) from appropriation item 855-410, Attorney General Payments. The Bureau makes quarterly payments to the Attorney General to offset costs related to the operation of that agency's fraud unit, which works in coordination with BWC's fraud investigators.

Section: 3

No change.

Section: 3

No change.

10 Safety and Hygiene**Section: 3**

Requires the Administrator of BWC to transfer moneys from the State Insurance Fund to appropriation item 855-609, Safety and Hygiene Operating, to insure that the Division of Safety and Hygiene is provided with \$20,130,820 in each of FYs 2004 and 2005.

Section: 3

No change.

Section: 3

No change.

11 Renumbering Safety and Hygiene Rules**Section: 5**

Requires the Legislative Service Commission to renumber BWC's Safety and Hygiene rules, currently bearing the Administrative Code division level designation of 4121:1, to division level 4123:1. The renumbering is related to administrative procedures concerning electronic rules filing.

Section: 5

No change.

Section: 5

No change.

Fiscal Effect: None.