
Executive

DDDCD19 Central intake and referral system for home visiting programs**R.C. 3701.611**

Excludes services provided under Part C of the federal Individuals with Disabilities Education Act from the central intake and referral system used to refer families to those services as well as home visiting services.

Fiscal effect: Potential increase in ODODD and a subsequent decrease in ODH related to the system.

DDDCD18 Employment First Task Force**R.C. 5123.023**

Requires, rather than permits, the Director of ODODD to establish an Employment First Task Force to improve the coordination of the state's efforts to address the needs of individuals with developmental disabilities who seek community employment.

Removes the sunset provisions that would, on January 1, 2020, eliminate the Task Force.

Fiscal effect: None, the Task Force is already established.

DDDCD24 Interagency Workgroup on Autism**R.C. 5123.0419**

Requires, rather than permits, the Director of ODODD to establish an Interagency Workgroup on Autism to improve the coordination of the state's efforts to address the service needs of individuals with autism spectrum disorders.

Fiscal effect: None, the Interagency Workgroup is already established.

Executive

DDDCD21 Reimbursement for workgroup members' travel expenses**R.C. 5123.0424**

Permits the Director of ODODD to provide for reimbursement for travel expenses for a workgroup's official members who represent families or are advocates of individuals with developmental disabilities if certain conditions are met.

Provides that the amount of reimbursement cannot exceed the rates the Director of OBM establishes in rules for the travel expenses of officers, members, employees, and consultants of state agencies.

Fiscal effect: Potential minimal increase for travel expenses.

DDDCD29 Background checks for conditionally employed applicants**R.C. 5123.081**

Requires ODODD, or other hiring entity, to request a criminal records check before conditionally employing an applicant.

Fiscal effect: None.

DDDCD27 Citizen's Advisory Council membership**R.C. 5123.092, Section 751.10**

Reduces the membership of a citizen's advisory council appointed for an institution under ODODD's control to seven members from 13.

Increases the term of advisory council officers from one to three years. Permits a member to serve as an officer until no longer a council member in place of a provision limiting an officer to serving no more than two consecutive one-year terms.

Designates an institution's managing director as the individual responsible for nominating persons to fill council vacancies.

Eliminates a current law provision that permits a member's removal from the council based on several successive, unexcused absences from council meetings.

Fiscal effect: Potential minimal decrease in travel reimbursements for fewer members.

Executive**DDDCD22 Adjudication orders against supportive living certificates****R.C. 5123.166, 5123.0414**

Permits the Director of ODODD, for good cause, to suspend a supported living certificate holder's authority to expand or add supported living services.

Expands the Director of ODODD's authority to issue a summary suspension of a supported living certificate holder's authority to continue to provide supported living if there is a danger of immediate and serious harm or clear and convincing evidence that the certificate holder engaged in certain conduct.

Fiscal effect: No direct fiscal impact.

DDDCD26 Residential facility vacancy database**R.C. 5123.193**

Requires the Director of ODODD to establish and maintain on ODODD's website a searchable database of vacancies in licensed residential facilities, based on information provided by residential facility operators.

Fiscal effect: Potential administrative and information technology costs.

DDDCD20 Specialized treatment units for minors**R.C. 5123.691**

Permits the managing officer of an institution, with the concurrence of the chief program director, to admit into a specialized treatment unit children ages 10-17 who are in behavior crisis and have serious behavioral challenges.

Requires a child's parent or legal guardian to enter into a memorandum of understanding with the county DD board and ODODD specifying each party's responsibilities and the duration of admission.

Limits the initial duration of admission to 180 days, but permits the child's parent or guardian to petition ODODD to extend admission to a maximum of one year.

Fiscal effect: Potential increase in ICF/IID costs depending on the number of children impacted.

Executive**DDDCD23 County DD board projections and plans****R.C. 5126.054, 5126.053, 5123.046, 5126.056, 5166.22**

Requires each county DD board to annually submit to ODODD a five-year projection of revenues and expenditures.

Authorizes ODODD to conduct additional reviews to assess a county DD board's fiscal condition.

Requires each county DD board to develop an annual plan, instead of a three-calendar year plan, and generally limits the information in the annual plan to information regarding waiting lists and home and community-based services.

Fiscal effect: Potential administrative and information technology costs.

DDDCD28 Quality assurance reviews**R.C. 5126.15, 5126.055**

Eliminates a requirement that (1) county DD boards' service and support administrators perform quality assurance reviews as a distinct function of service and support administration and (2) a service and support administrator incorporate the results of those reviews into amendments of an individual's service plan.

Fiscal effect: None.

DDDCD25 Annual cost report audits**R.C. 5126.131**

Eliminates the requirement that ODODD audit the annual cost reports of all county DD boards and regional councils, and instead gives it discretion to conduct an audit.

Fiscal effect: None, ODODD is already performing audits under this method.

Executive

DDDCD1 Developmental disabilities facilities lease-rental bond payments**Section: 261.20**

Requires ODODD to use GRF appropriation item 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 the appropriations in that appropriation item are the source of funds pledged for bond service charges on obligations issued for certain capital facilities.

DDDCD2 Screening and Early Identification**Section: 261.30**

Requires GRF appropriation item 322420, Screening and Early Identification, to be used, at the discretion of ODODD, for professional and program development related to early identification/screening and intervention for children with autism and other complex developmental disabilities and their families.

DDDCD3 Family support services subsidy**Section: 261.40**

Permits GRF appropriation item 322451, Family Support Services, to be used for the following purposes:

- (1) To provide a subsidy in quarterly installments to county DD boards for family support services provided under section 5126.11 of the Revised Code according to a formula developed by the ODODD Director in consultation with representatives of county DD boards; and
- (2) To distribute funds to county DD boards for the purpose of addressing economic hardships and to promote efficiency of operations.

Specifies that a county DD board is not to use more than 7% of its subsidy for administrative costs.

Executive**DDDCD4 Employment First Initiative****Section: 261.60**

Requires that GRF appropriation item 322508, Employment First Initiative, be used to increase employment opportunities for individuals with DD through the existing Employment First Initiative.

Requires the ODODD Director in each fiscal year to transfer from GRF appropriation item 322508, to the Opportunities for Ohioans with Disabilities Agency (OOD), an amount agreed upon by the ODODD 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 ODODD 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 appropriation item 322508 be used to develop a long term, sustainable system that places individuals with DD 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.

DDDCD5 Community Supports and Rental Assistance**Section: 261.70**

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

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

Executive

DDDCD6 Medicaid Services**Section: 261.80**

Requires GRF appropriation item 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 ODODD Director.

DDDCD7 Operating and Services**Section: 261.90**

Requires \$100,000 in each fiscal year in DPF Fund 5GE0 appropriation item 320606, Central Office Operating Expenses, be provided to the Ohio Center for Autism and Low Incidence to establish a lifespan autism hub to support families and professionals.

DDDCD8 Nonfederal match for active treatment services**Section: 261.100**

Requires that any funds received by ODODD from county DD boards for active treatment be deposited into the Developmental Disabilities Operating Fund (Fund 4890).

DDDCD9 System Transformation Supports**Section: 261.110**

Allows the ODODD Director to use DPF Fund 5QM0 appropriation item 320607, System Transformation Supports, to purchase residential facility beds in order to reduce the number of beds certified for participation in Medicaid as ICF/IID beds and to fund other system transformation initiatives identified by the ODODD Director.

Executive

DDDCD10 Reduction of certified residential facility beds**Section: 261.111**

Allows the ODODD Director to purchase one or more residential facility beds for the purpose of reducing the number of beds that are certified for participation in Medicaid as ICF/IID beds.

Requires the ODODD Director to establish priorities for the purchase of beds which may include beds in a building in which a nursing facility is also located and beds located in a residential facility that has a licensed capacity of 16 or more beds.

Requires the purchase price of a bed to be the price the Director determines is reasonable based on the established priorities.

Provides that the purchase does not have to be done by competitive selection.

DDDCD11 Community Social Service Programs**Section: 261.120**

Allows a portion of FED Fund 3250 appropriation item 322612, Community Social Service Programs, 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 reasonable and necessary expenses, including child care expenses for parent representatives, for attending council meetings and performing council duties;
- (3) Pay compensation to a council member if the member is not employed or must forfeit wages from other employment when performing official council business;
- (4) Hire staff; and
- (5) Obtain the services of professional, technical, and clerical personnel as necessary to carry out the performance of its lawful functions.

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

Executive

DDDCD12 County board share of waiver services**Section: 261.130**

Requires the ODODD Director to establish a methodology to be used in FY 2020 and FY 2021 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 ODODD 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.

DDDCD13 Withholding of funds owed ODODD**Section: 261.140**

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

DDDCD14 Developmental center services**Section: 261.150**

Permits a developmental center to provide services to persons with developmental disabilities who live in the community or to providers of services to such persons and authorizes ODODD to develop a methodology for recovering all costs associated with provision of these services.

Executive**DDDCD15 ODODD innovative pilot projects****Section: 261.160**

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

Requires the ODODD 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.

Specifies that the ODODD Director may not authorize 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.

DDDCD16 Nonfederal share of ICF/IID services**Section: 261.200**

Requires the ODODD Director to pay the nonfederal share of a claim for ICF services using subsidies 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 ODODD Director to use certain funds from GRF appropriation item 653407, Medicaid Services, to pay any claims.

Executive**DDDCD17** **Payment rates for homemaker/personal care services****Section: 261.210**

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

Specifies that portions of GRF appropriation item 653407, Medicaid Services, and FED Fund 3A40 appropriation item 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: This 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.

DDDCD30 **Medicaid rates for ICF/IID services****Sections: 601.03, 601.04, 601.05**

Amends Section 261.168 of H.B. 49 of the 132nd G.A. to do the following:

- (1) Provide that the mean FY 2020 and FY 2021 Medicaid rates for ICFs/IID in peer groups 1-B and 2-B as determined under an older formula after certain modifications are made cannot exceed \$290.10.
- (2) Require ODODD to reduce the FY 2020 and FY 2021 Medicaid rates for ICFs/IID in peer groups 1-B and 2-B as determined under an older formula if the federal government requires that the ICF/IID franchise permit fee be reduced or eliminated.

Fiscal effect: This provision continues the current average per diem for ICFs/IID receiving payments under the old formula. A new ICF/IID formula was established in the last G.A., but the law allowed for the old reimbursement method with some modifications to be operated until July 1, 2021, so providers could receive payments under whichever method resulted in a higher payment. According to ODODD, few providers are reimbursed under the old formula.
