

# Ohio Legislative Service Commission

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## Comparison Document

House Bill 75—134th General Assembly

Bureau of Workers' Compensation Budget  
(FY 2022-FY 2023)

As Introduced  
As Reported by House Insurance

May 11, 2021

Executive

As Reported by H. Insurance

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**BWCCD24 Power of attorney**

No provision.

**R.C. 4121.43**

Permits the use of a power of attorney allowing an attorney to cash or endorse a check on behalf of a workers' compensation claimant, provided the power of attorney is narrowly tailored to apply to a specific check (current law prohibits using a power of attorney allowing an attorney to cash or endorse a check).

**Fiscal effect: None.**

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**BWCCD25 Application for permanent partial disability**

No provision.

**R.C. 4123.57, Section 8**

Prohibits an individual who receives wages in lieu of temporary total disability compensation from filing an application for permanent partial disability compensation until 26 weeks after payment of the wages ends or 26 weeks after the date of injury or occupational disease in absence of temporary total disability payments (current law) or wages in lieu of those payments. Applies to workers' compensation claims arising on or after the provision's effective date.

**Fiscal effect: May result in decrease in benefits paid from the State Insurance Fund.**

Executive

As Reported by H. Insurance

**BWCCD18 Redetermination of permanent total disability**

No provision.

**R.C. 4123.58, Section 8**

Requires, if the Industrial Commission has denied an application for permanent total disability (PTD) compensation, a claimant to present evidence of new and changed circumstances before the Commission may consider a subsequent PTD application based on the same injury or occupational disease. Applies to workers' compensation claims arising on or after the provision's effective date.

**Fiscal effect: May result in increase in benefits paid from the State Insurance Fund.**

**BWCCD15 Occupational disease statute of limitations**

No provision.

**R.C. 4123.85, Section 8**

Reduces the time period for a workers' compensation claim based on an employee's occupational disease to be filed within one year after disability due to the occupational disease or death of the employee, instead of two years as under current law. Maintains current law with respect to allowing a period longer than one year after the disability began if that time period does not exceed six months after a licensed physician diagnoses the disease as occupational in origin. Applies to workers' compensation claims arising on or after the provision's effective date.

**Fiscal effect: None.**

Executive

As Reported by H. Insurance

**BWCCD1 Workers' Compensation Fraud Unit**

**Section: 1**

Earmarks \$828,200 in each fiscal year from appropriation item 855410, Attorney General Payments, for the expenses of the Workers' Compensation Fraud Unit within the Attorney General's Office. Specifies that these payments must be processed at the beginning of each quarter of each fiscal year and deposited into the Workers' Compensation Section Fund (Fund 1950) used by the Attorney General.

**Section: 1**

Same as the Executive.

**BWCCD2 Safety and Hygiene**

**Section: 1**

Requires the Treasurer of State to remit \$25,343,000 cash in FY 2022 and \$25,085,000 cash in FY 2023 from the State Insurance Fund to the state treasury to the credit of the Safety and Hygiene Fund (Fund 8260) to cover the operating expenses of the BWC's Division of Safety and Hygiene.

**Section: 1**

Same as the Executive.

**BWCCD3 Safety Grants**

**Section: 1**

Requires the Treasurer of State to remit \$35.0 million cash in each fiscal year of the biennium from the State Insurance Fund to the state treasury to the credit of the Safety and Hygiene Fund (Fund 8260) to be used for Safety Grants.

**Section: 1**

Same as the Executive.

**Executive**

**As Reported by H. Insurance**

**BWCCD4 Health and Safety Initiative**

**Section: 1**

Requires the Treasurer of State to remit \$3.0 million cash in each fiscal year of the biennium from the State Insurance Fund to the state treasury to the credit of the Safety and Hygiene Fund (Fund 8260). Requires that these amounts be used under appropriation item 855611, Health and Safety Initiative, for the purpose of creating and operating a health and wellness program.

**Section: 1**

Same as the Executive.

**BWCCD5 Safety Campaign**

**Section: 1**

Requires the Treasurer of State to remit \$1.5 million cash in each fiscal year of the biennium from the State Insurance Fund to the state treasury to the credit of the Safety and Hygiene Fund (Fund 8260). Requires that these amounts be used under appropriation item 855612, Safety Campaign, for the purpose of creating and operating a statewide safety awareness and education campaign.

**Section: 1**

Same as the Executive.

**BWCCD6 Federal Grant Programs**

**Section: 1**

Specifies that appropriation item 855609, Safety and Hygiene Operating, may be used to provide the state match for federal grant funding received by the Division of Safety and Hygiene.

**Section: 1**

Same as the Executive.

Executive

As Reported by H. Insurance

**BWCCD7 Vocational Rehabilitation**

**Section: 1**

Allows the BWC and the Opportunities for Ohioans with Disabilities Agency to enter into an interagency agreement for the provision of vocational rehabilitation services and staff to mutually eligible clients. Allows the BWC to provide funds from the State Insurance Fund to fund vocational rehabilitation services and staff in accordance with the interagency agreement.

**Section: 1**

Same as the Executive.

**BWCCD8 Research Grants**

**Section: 1**

Requires the Treasurer of State to remit \$3.0 million cash in FY 2022 and \$1.0 million cash in FY 2023 from the State Insurance Fund to the state treasury to the credit of the Safety and Hygiene Fund (Fund 8260). Requires that these amounts be used under appropriation item 855613, Research Grants, for the purpose of creating and operating the occupational safety and health research program.

**Section: 1**

Same as the Executive.

**BWCCD9 Substance Use Recovery and Workplace Safety Program**

**Section: 1**

Requires the Treasurer of State to remit \$3.5 million cash in FY 2022 and \$4.0 million cash in FY 2023 from the State Insurance Fund to the state treasury to the credit of the Safety and Hygiene Fund (Fund 8260). Requires that these amounts be used under appropriation item 855618, Substance Use Recovery and Workplace Safety Program, for the purpose of creating and operating the opioid workplace safety program.

**Section: 1**

Same as the Executive.

**Executive**

**As Reported by H. Insurance**

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**BWCCD10 Safety and Health Center of Excellence**

**Section: 1**

Requires the Treasurer of State to remit \$15.0 million cash in each fiscal year of the biennium from the State Insurance Fund to the state treasury to the credit of the Safety and Hygiene Fund (Fund 8260). Requires that these amounts be used under appropriation item 855619, Safety and Health Center of Excellence, for the purpose of creating a center of excellence at the Ohio Center of Occupational Safety and Health.

**Section: 1**

Same as the Executive.

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**BWCCD11 Administrative Cost Fund**

**Section: 1**

Requires the Treasurer of State to remit up to \$25.0 million cash in each fiscal year of the biennium from the State Insurance Fund to the state treasury to the credit of the Workers' Compensation Fund (Fund 7023).

**Section: 1**

Same as the Executive.

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**Executive**

**As Reported by H. Insurance**

**BWCCD12 Deputy Inspector General for BWC and OIC Funding**

**Section: 2**

Requires the Director of Budget and Management (OBM), on July 1, 2021, and January 1, 2022, or as soon as possible thereafter, to transfer \$212,500 cash from the Workers' Compensation Fund (Fund 7023) to the Deputy Inspector General for the Bureau of Workers' Compensation and Industrial Commission Fund (Fund 5FT0) for the FY 2022 costs related to the Deputy Inspector General for the Bureau of Workers' Compensation (BWC) and Ohio Industrial Commission (OIC). Requires the OBM Director, on July 1, 2022, and January 1, 2023, or as soon as possible thereafter, to transfer the same amount from Fund 7023 to Fund 5FT0 to pay for the corresponding costs in FY 2023. Specifies that if additional amounts are needed, the Inspector General may seek Controlling Board approval for additional transfers of cash and to increase the amount appropriated in appropriation item 965604, Deputy Inspector General for the Bureau of Workers' Compensation and Industrial Commission.

**Section: 2**

Same as the Executive.